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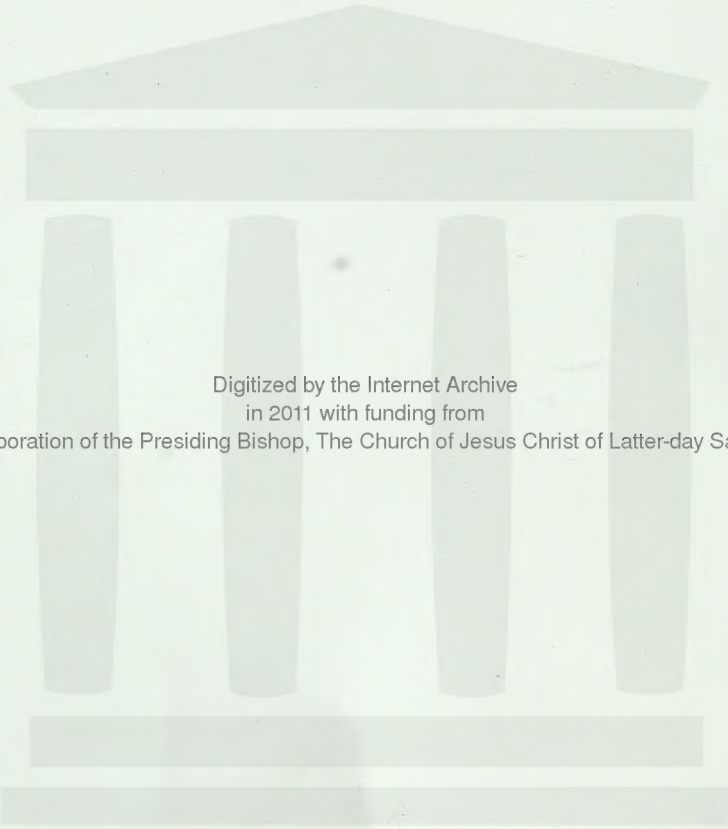
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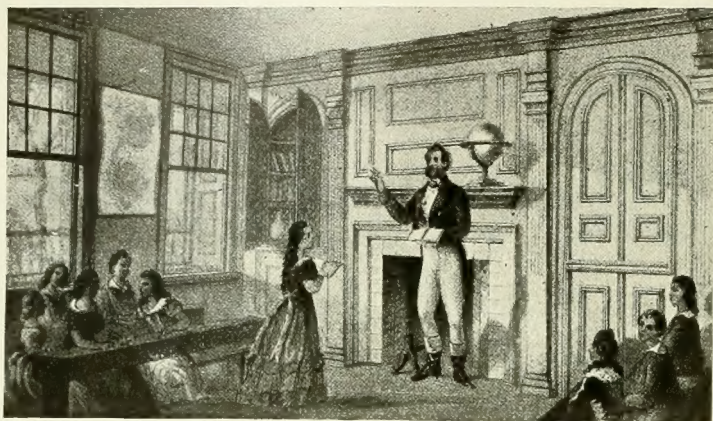


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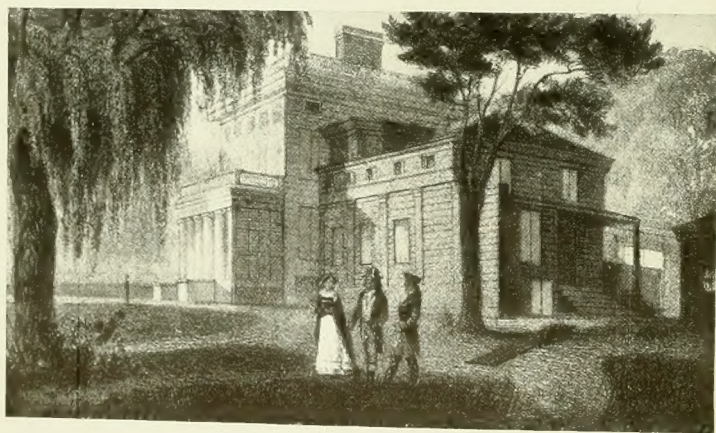
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WHEN LOUIS PHILIPPE TAUGHT SCHOOL IN
SOMERINDYKE HOUSE



THE HOUSE IN WHICH TALLEYRAND LIVED—ON
BLOOMINGDALE ROAD

See "French Exiles in New York"

AMERICANA

July, 1910

THE LITTLE WARS OF THE REPUBLIC

BY JOHN R. MEADER

I.—SHAYS' REBELLION

IT is almost impossible to-day to comprehend what a condition of unrest existed in this country at the close of the War of Revolution. For seven years the colonies had been fighting against odds that made their struggle seem almost hopeless, and, when, at last, the treaty of Paris (Sept. 3, 1783), assured the independence of the nation, the leaders of the people found themselves confronted with new dangers—a series of internal disorders that threatened to wreck the republic before permanent government could be firmly established. Freedom had been gained, it is true, but at a cost that, for a time at least, it seemed as if the nation would be unable to pay.

While the first organized rebellion against the new government did not occur until 1786, it was only by the most strenuous efforts that civil insurrection was postponed until that time. As early as 1782 the first threats of violence were heard, but, fortunately, the danger at that time emanated from the army, among the officers and men with whom General Washington's influence was so great that he was finally able to defeat their intentions to array themselves against the civil authorities.

The troubles at that time, and later, had their origin in questions of finance. The ending of the war found the financial condition of the country so entangled that there was no money with which to pay the army and other just dues. The several states

could not—or would not—raise the appropriations that they were supposed to contribute, and Congress at this time had no power to compel them to assume their part of the national burden of debt. Without the means of enforcing its regulations, or of raising money by taxation, little Congressional relief was possible, and it was not until 1788, when the Constitution of the United States was adopted by nine of the states, that a definite remedy could possibly be devised.

In the meantime, local conditions in many sections were little short of anarchy, for with no means of collecting from the government, and unable to redeem their depreciated script for anything like its real value, the people's protests at being called upon to pay taxes were inspired by what they believed to be righteous indignation. Protest as they might, however, there could be no relief in response, for there was nobody from whom such relief could come.

In fact, almost from day to day, this turbulent spirit was excited to still further extremes by cheap politicians who sought to gain control of the people by exciting their minds against those in power. In many instances alleged political parties were formed by the demagogues, and conventions were called simply that the populace might have a better opportunity to excite itself in passing resolutions of protest against the grievances with which it had been oppressed.

Inspired by such sentiments of despair, a body of reckless malcontents forced their way into the legislative chamber at Exeter, New Hampshire, and made prisoners of the entire general assembly of the State. That, in a few hours they were released through the efforts of more law abiding citizens, makes the incident scarcely important enough to be called a revolution, yet as an indication of the direction in which public sentiment tended at this time in the nation's history, it becomes of vital interest.

This, certainly, was the way in which it was regarded by the real leaders of the republic, the patriotic statesmen who still had their hand firmly fixed upon the helm of public affairs and who were already planning ways and means to put an end to this state of anarchy. Washington was especially indignant that

such treasonable utterances should be expressed and alarmed that so many persons should be so willing to listen to them.

"For God's sake tell me," he wrote, in a letter to Colonel Humphreys of Massachusetts during these days of discord, "what is the cause of all these commotions? Do they proceed from licentiousness, British influence disseminated by the Tories, or real grievances which admit of redress? If the latter, why was redress delayed until the public mind had become so much agitated? If the former, why are not the powers of government tried at once? It is as well to be without as not to exercise them. Commotions of this sort, like snowballs, gather strength as they roll, if there is no opposition in the way to divide and crumble them."

And, a few months later, the General again wrote:

"It was but the other day that we were shedding our blood to obtain the constitutions under which we now live—constitutions of our own choice and making—and now we are unsheathing the sword to overturn them."

The foremost political leaders of the country, as well as the better class of public sentiment, agreed in deploring these anarchistic tendencies and condemning the attitude of the political agitators who had taken advantage of the government's temporary weakness to poison the minds of the people, yet, when the demagogues began to talk about the oppressions of the people, they had so many powerful arguments—the business depression, the deminution in the value of securities, the heavy taxes and the stringent laws enforced in the treatment of debtors—that they found but little trouble in attracting followers and in exciting them to deeds of desperation.

Among these demagogues there was none who could talk more convincingly than Daniel Shays, a Massachusetts man who had fought in the Revolutionary War most creditably, but who, when the strife was ended, promptly developed an unqualified enmity for the government that the statesmen were striving to establish. From a good soldier—one who had fought at Bunker Hill, and who had won the rank of captain for meritorious service, he became the eloquent agitator to whose efforts, more than to any other factor—the first organized war in the United States was due.

Of course, it cannot be denied that the protests of the people were in many respects entirely reasonable, and that Shays arguments proved so irresistible simply because they were based upon a logical foundation. The chief grievances of which he complained may be summarized as follows: (1) That the salaries of public officials, and especially that of the governor, were too high in view of the financial depression; (2) that the State Senate was an aristocratic and not a republican body; (3) that court and lawyers' fees were extortionate, and (4) that taxes were unnecessarily and unjustly burdensome. What Shays demanded was the correction of these abuses and a large issue of paper money.

If Shays had been a little more conservative in his opposition to the government, and had inspired his followers to register their protests at the ballot box, instead of leading an insurrection, it is not improbable that he might have attained a place among the most patriotic statesmen of the country, for he was a man of strong character and no small degree of executive ability. He does not appear to have been a dishonorable man, nor, like many of his followers, did he interpret the term "liberty" to mean freedom from legal control, but he seems to have been carried away by the discovery that he was naturally a leader of men—a man to whom men would listen and whom they would follow, even to the extent of armed resistance to civil authority.

The grave mistake that he made was in assuming, or permitting his followers to assume, that the causes of discontent were such as might be corrected without delay were the government officials willing to take the necessary action. The conditions existed, but it was absurd to talk about an immediate remedy. The claims of those who had fought for the nation's independence, and who had suffered almost every possible privation in the cause of patriotism, were just demands, yet there was no way to satisfy them. The years of warfare had practically exhausted the wealth of the country. Moreover, public credit had been so thoroughly shattered that it was almost useless to look for financial aid, either in America or abroad. Each State owed a heavy debt to the nation, but as the taxpayers had no money to meet the assessments of the State, the latter could

very logically defer the payment of its own obligations on the ground that its income was insufficient to support its own government. In a word, the nation was suffering, as all nations have always suffered during a period of reconstruction, although all that was needed was peace, and the patience to wait for the natural and inevitable restoration of the productive powers of the country.

While these conditions were felt in all the states, the burden seemed to fall more heavily upon New England, where not only had an exceptionally heavy debt been accumulated, but, owing to unavoidable neglect, the chief resource of the people, the fisheries industry, had been almost destroyed. Deprived of their opportunity to make a living, the demands of the tax collectors could not be met, and the uneasy situation which followed gave the political agitators an excellent argument and enabled them to magnify all existing evils in their efforts to foment resistance to authority on the part of the people.

It was with this end in view that Daniel Shays began his systematic campaign, and he was so successful in making converts among the men of the State—especially among the young men who were chafing sorely under their inability to earn a livelihood—that the legislature was soon compelled to take notice of the movement. In fact, fearing that an attack would be made upon the general court, the militia was called upon to protect that body until such time as peace might be restored through the passage of conciliatory measures.

To accomplish this result, legislation was enacted, not only reducing court and other legal charges, but also providing that both private debts and taxes might be paid in specific articles instead of with coin. By another bill, provisions were made that certain revenues that had hertofore been devoted to other purposes that had heretofore been devoted to other purposes.

Wise as all these measures were, they were not sufficient to allay the agitation, and, finally, the *habeas corpus* act was suspended for eight months. The man who stood between the government and the people, and who kept the fire of insurrection burning despite all the efforts of the general court to check its

progress, was Daniel Shays. Obsessed, as it were, by his own sense of power, his eloquence and daring plans kept his followers from heeding the pleas and promises of the government, for they were convinced that they were numerically strong enough to seize the State and so put an end to all debt, both public and private.

It was a desperate plan, but, so far as numbers were concerned, it seemed at one time as if its attainment was by no means impossible. That fully fifteen thousand persons—chiefly young men—were allied to Shays' interests in Massachusetts and adjoining states there is no doubt, and it was feared that it would take but a little more effort at organization to send the spark of discontent through all sections of the country, in which case a horrible civil war might be anticipated as anything but a remote probability.

Fortunately in Governor Bowdoin the State of Massachusetts had a man who was quite capable of meeting this emergency. Finding, therefore, that all his plans were thwarted, and that it was useless to place further dependence upon conciliatory acts of legislation, he determined to suppress the uprising by force. Fearing that he might be unable to carry out this plan without outside assistance, Congress secretly offered to send troops to Massachusetts under the pretext of protecting the frontier against the Indians, but the Governor declined the tender with the assertion that he believed himself quite able to put down the spirit of rebellion in his own State. To do this, however, it was necessary that he should have considerably more money than was available in the State treasury, so, acting so quietly that no person suspected him, he negotiated a loan from several patriotic citizens, and with this he equipped a militia force of 4,400 men, which he placed under the command of General Benjamin Lincoln, a Revolutionary veteran, whose good judgment made him the logical man for such a trust.

All this was not done in a day, however, and, in the meantime, the insurgents had been anything but inactive. Even when the legislature was in session, early in the fall of 1787, there were several demonstrations of violence, but the adjournment of that body, after a six weeks' session, gave the excuse for further

activities. The measures that had been adopted were adversely criticised—practically torn to pieces—by the agitators; the legislature was denounced for its tyranny in failing to pass the acts that the insurgents had proposed, and even the governor was called a coward for the leniency he had shown in offering the rebels full pardon for past offences if they would agree to cease further agitations.

During the early part of November a plot was laid to stop the sitting of the Supreme Court in Middlesex county, but the plan was brought to the ears of the authorities in time for a reinforcement of infantry and artillery to be sent to General Brooks, a Revolutionary officer who was then in command of the militia of that district, and the display of force that he was able to make was sufficient to overawe the malcontents, and they did not appear.

A still more definite attempt to interfere with the session of the court at Taunton also came to naught, owing to the courageous stand taken by Judge Cobb, who, prior to his elevation to the bench, had been a general under Washington. As the intentions of the insurgents to visit the court house had not been suspected, the mob, which was composed of more than a hundred men, found only the comparatively small sheriff's force arrayed against them.

The moment they appeared, however, General Cobb confronted them, and, after exhorting them to respect the law and allow the court to proceed, he returned to the bench with the emphatic assertion:

“And now, sirs, I shall sit here as a judge, or die here as a general!”

Knowing him to be possessed of dauntless courage, and that he was eminently a man of his word, the members of the mob realized that he would not submit tamely to their attempts to interfere with what he deemed his right, so, after a short parley among themselves, they dispersed quietly, entirely mastered by the judge's attitude.

In several counties the attempts to stop the sitting of the courts were more successful, however, and, inflamed by their

temporary success, they made plans for a still greater coup to take place early in December.

According to this plan, the insurgents proposed to assemble at Concord and march upon Cambridge where they would not only proceed to close the court's session, and suspend, for the time being all processes of law, but also take advantage of the opportunity to notify the governor that the measures in which they were interested must be passed, even though it might be necessary to call a special session of the legislature. That beneath these acknowledged motives, there was the more sinister plan of seizing, if possible, the capital, and proclaiming a provisional government, there is not much doubt, although, when the project failed, and the leaders were arrested and lodged in jail at Boston, fear of possible penalties of the law caused them to strenuously deny all such intentions.

It was about this time that Governor Bowdoin decided that it was time that the special militia should take the field. Although enlisted for only thirty days, great care had been taken in fitting the men for action, and as General Lincoln was assisted by a most capable staff of officers, all of whom had seen active service during the war, even the insurgents realized that they were to be brought face to face with a formidable force. As the latter were also well-armed and well-drilled, however, they pretended to laugh at the states "30-day soldiers," but it is very doubtful if this feeling of levity extended to the three men who were in command of the armed rebel force—Daniel Shays, Luke Day, and Eli Parsons. However sanguine their followers may have been, they certainly realized that the affair had ceased to be child's play—that the situation was, day by day, assuming such serious proportions that success or ruin and disgrace, if not the death of the traitor, stared them in the face.

Determined to take the last chance, however, Shays and his army started for Springfield, to interfere with the court session that was to start on December 26, and, if possible, seize the arsenal, which was also located in that city.

The first part of the program was carried through successfully. Arriving on the 25th the army of insurgents took possession of the court house, and thus prevented the judges from transact-

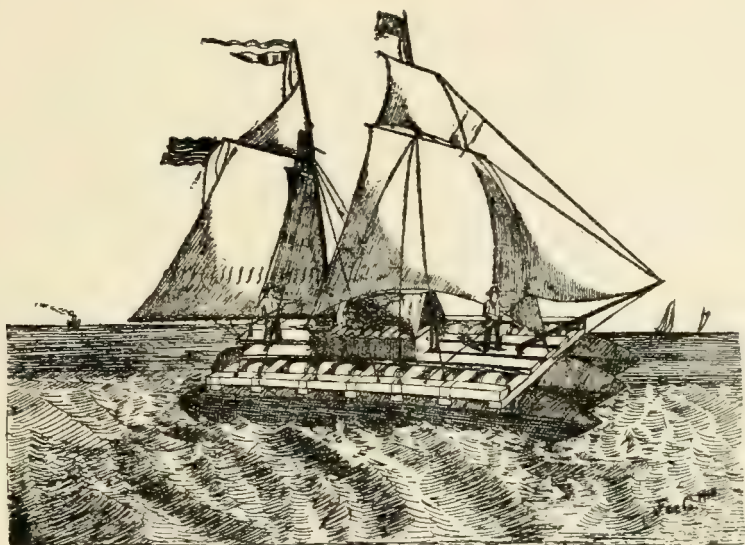
ing business. Taking the arsenal, however, was a very different matter, for while the force in charge of the continental arms and ammunition was small in numbers, it was under the command of General Shepard, a revolutionary officer who was determined to protect the Federal property with his life.

Accordingly, when the insurgents appeared with a demand for his surrender, he first entreated them to abandon their foolhardy campaign, and, when he found that his admonitions were to be of no avail, but that the rebels were preparing to take the arsenal by force, he ordered his men to fire on them. The first round was discharged over the heads of the attacking force, but, as they paid no attention to it, he again gave the order to fire, and this time the defenders of the arsenal shot to kill, with the result that the insurgents fled in confusion, leaving there dead and one man wounded.

Having been notified of the intentions of the Shays army, General Lincoln, with his special militia, was soon on the heels of the rebels, and arriving with his force at Springfield, shortly after the affair at the arsenal, he started in pursuit of the rebels. Before he could reach them, however, they succeeded in attaining a practically inaccessible position in the hills at Pelham, and from that post they attempted to negotiate an arrangement for peace. At first, they asked a suspension of hostilities until the next session of the legislature. When this proposition was declined, Shays offered to lay down his arms provided a general pardon should be granted. This agreement, too, was one that General Lincoln had no power to make.

Finally, after several weeks, and when negotiations were still supposed to be pending, Shays ordered a retreat to Petersham, and the move was made so secretly that some time passed before General Lincoln discovered that the enemy had gone. By starting after them at once, however, and by marching all night through a driving storm, the government troops reached Petersham at daybreak, or almost as soon as the insurgents, and their appearance so astonished the rebels that they fled in all directions and never again assembled as an army, although for several months they gathered in small bands and made petty demonstrations.

About one hundred and fifty prisoners were taken at Peter-sham, and, while they were held for some time, all were eventually discharged. The greatest clemency was also shown towards the leaders of the rebellion, and a general amnesty was finally proclaimed. Shays went to Vermont, where he remained until he was pardoned, after which he removed to Sparta, N. Y., where he died, September 29, 1825. During the later years of his life he received a pension for his services in the Revolutionary War.



THE LOG OF THE "NONPAREIL"

THE EVENTFUL VOYAGE OF THE ONLY LIFE-SAVING RAFT THAT
EVER CROSSED THE ATLANTIC

ONE of the most daring feats ever undertaken by navigators was the trip of the life-saving raft "Nonpareil," from New York to Southampton, in the summer of 1867. The purpose of the voyage was to test the practicability of the life-saving raft for deep sea work, and the success of the undertaking was the sensation of the year among nautical men, both in Europe and in the United States. The craft left Sandy Hook on June 12, and arrived at Southampton on July 25, having made the trip in exactly forty-three days. The story of the voyage, as told by Captain John Mikes and his crew of two able seamen, George Miller and Jeremiah Mullane,

appeared as follows in the Illustrated London News, August 10, 1867:

THE "NONPAREIL" AMERICAN LIFE RAFT

"The arrival at Southampton, on Thursday, the 25th ult., of a very curiously constructed life-raft, in which three men had crossed the Atlantic from New York, performing this voyage in forty-three days, has excited great interest among those concerned in nautical affairs at Cowes, Ryder, Portsmouth, and Southampton. The raft now lies, in a partially dismantled state, in Mr. White's yard, Medina Dock, Cowes. We give an illustration of its appearance when labouring in a heavy sea. The immersed portion of the raft consists of three india-rubber waterproof cylinders, with pointed ends, each 25 ft. long by about $2\frac{1}{2}$ ft. in diameter, connected at their centres by a waterproof sacking; these are strongly secured by ropes to a wooden frame or staking, 21 ft. long by $12\frac{1}{2}$ ft. wide. The base of this frame consists of seven stout planks; and running fore and aft amidships, on the top of these are three similar planks, the centre one projecting about 5 ft. beyond the after part of the frame; and through the end of this plank the rudder is worked, the lower part being secured by iron stays. The raft has two masts, the foremast being rigged as a lugger, and the mainmast like a cutter. There is a bellows apparatus for filling the tunes with air. The shelter for the crew is a sort of tent formed of a waterproof cloth hung over a boom. The three men who navigated the strange vessel were Mr. John Mikes, the capain, George Miller and Jerry Mullane. Two slept under the tent while the third watched at night. Except Miller, who was poorly for two days only, they all enjoyed perfect health during their six weeks' voyage. They had an abundant supply of fresh water in a number of barrels lashed to each side of the raft, having 30 gallons of water to spare when they arrived. Their provisions were stowed in a locker under the tent. An oil lamp on board was their only means of procuring artificial light and fire. They had a fortnight's bad weather, and were seven times obliged to lay-to; but the raft behaved exceedingly well in the sea, and the men never got wet. The last vessel they spoke at sea was the John Chapman, a week before they reached Southampton. The captain of the John Chapman gave them a fowl, which they brought alive to that port. As they had no chronometer, they sailed by dead reckoning, and corrected their position by the help of vessels they spoke. On their arrival, Mr. J. R. Stebbing, the president of the Chamber of Commerce at Southampton, hast-

ened to congratulate them; and Captain Mikes, having landed, went to report himself to the United States Consul Captain Britton.

“Before laying up the raft in his yard, Mr. White towed her all round the harbour, and showed her to some of the Royal family who were on board one of the yachts there. She was inspected by many experienced yachtsmen and by Mr. John Macgregor, owner of the “Rob Roy” canoe, and also of the “Rob Roy” yawl, of three tons burden, in which he lately crossed the English Channel alone, and cruised along the French coast several hundred miles, re-crossing from Havre to Littlehampton. The members of the Royal Yacht squadron at Cowes have given Captain Mikes a hearty welcome, and entertained him at dinner a few days after his arrival. His extraordinary Atlantic voyage following that of the little life-boat called the “Red, White and Blue,” not to mention the great New York yacht-race of last Christmas, is a fresh proof of the courage and enterprise of individual Americans in ocean navigation.”

The only survivor of the three men who made the trip in the life-raft is Mr. Mullane, a resident of Garfield, N. J., and it is through his courtesy that the log-book of the voyage, a historical document of more than ordinary interest, is now reproduced in its entirety.

THE “LOG”

Tuesday, June 4th. At 5 p. m. left the Battery, New York; at 7 p. m. anchored in Governor’s Bay. Calm.

Wednesday, June 5th. At 3 p. m. got under way; at 6 p. m. came-to off Staten Island.

Thursday, 6th. Calm all this day.

Friday, 7th. At 2 p. m. beat down, light breezes from S.; at 8 p m., anchored outside the Hook.

Saturday, 8th. At daylight strong gales from E. N. E.; got under way and anchored in the Hook.

Sunday, 9th. Heavy gales from E. N. E. and rain.

Monday, 10th. Strong breezes from E. N. E. and clear.

Tuesday, 11th. Fresh breezes from S. S. E.

Wednesday, 12th. Moderate breezes from S. W.; at 6 a. m.

got under way; at 9 a. m. passed lightship; latitude by observation, 40 20, longitude 73 15.

Thursday, 13th. First part of this day fresh breezes and a nasty cross sea; at 6 p. m. took in mainsail; latter part of the day breezes and foggy; all sail set; wind W. S. W.; course E. S. E.; latitude 40 10; longitude 70 30.

Friday, 14th. Light breezes from S. W. and foggy first part; middle part calm and baffling winds; latter part, light breezes from E. N. E. and clear, latitude, by observation, 40 23 N.; longitude 69 30 W.

Saturday, 15th. First part light airs from S. E.; at 6 p. m. pumped a little air in the cylinder; middle part, calm; latter part, light breezes from S. W. and fog; latitude by dead reckoning, 40; longitude 69 05.

Sunday, 16th. Moderate breezes and foggy first part of the day; middle and latter part, clear weather; all sail set; wind S. W., latitude by observation, 40 04 N.; longitude, by dead reckoning, 67 45 W.

Monday, 17th. Light breezes from S. W., and pleasant weather all this day; kept in excellent order; all sail set; lat., by observation, 40 24.; long., by d r., 66.

Tuesday, 18th. Light airs and pleasant weather all these 24 hours; all sail set; lat., by observation, 40; long., by d. r., 64 35.

Wednesday, 19th. Moderate breezes and pleasant weather all this day; latter part, a nasty cross sea running; wind S. W.; lat., by observation, 41 12; long., by d. r., 62 30.

Thursday, 20th. First part of this day strong breezes from S. W. and squally, with a nasty sea running, the raft behaving well; middle and latter part, light breezes from N. W. and calms; lat., by d. r., 41 24; long., 61.

Friday, 21st. First part of this day light breezes from S. E.; latter part, strong gales and a heavy sea running; at 4 a. m. took in all sail, and put out drag, the raft going well, not taking any water on board; lat., by observation, 40 25 N.; long., by d. r., 60 28 W.

Saturday, 22nd. First part, strong gales and a heavy sea; wind N. E.; at 5 p. m. more moderate, took in the drag and set



THE CREW OF THE "NONPAREIL"
George Miller, Capt. Mikes, Jeremiah Mullane

reefed mainsail and foresail; latter part, strong breezes and overcast; wind E., lat., by d. r., 40 50; long., 59 10.

Sunday, 23rd. Light breezes from the eastward all these 24 hours; at 10 a. m. spoke Bremen ship "Goschen," from St. John's to London, the captain, in a very gentlemanly manner, offered, in case we were short of anything to provide us, but we had plenty, and so did not take advantage of his kindness; so he presented us with some liquor, in case the weather was too bad for cooking, and some sperm oil, our kerosene oil stove having given out, which made the kerosene oil useless to us, and left us a little short of sperm oil; lat., by observation, 39 50; long., by d. r., 57 50; long., by ship's chronometer, 57 38.

Monday, 24th. Light airs from the eastward, and calms first part of this day; at 6 p. m. it being calm, Captain Hein of the ship "Goschen," was kind enough to ask us to come alongside and take supper with him, which invitation we gladly accepted; latter part of the day, moderate breezes from S. W.; all sails set, still kept side by side of the ship. Lat., by observation, 39 40 N.; long., 56 48 W.

Tuesday, 25th. Light baffling winds and calm all these 24 hours; lat., by d. r., 39 56; long., 55 58.

Wednesday, 26th. Begins with light breezes and squally-looking weather; at 2 p. m. heavy squalls from N. E.; stood to the northward; at 5 p. m. strong gales and a heavy sea getting up, took in sails and put out the drag; middle and latter part strong gales and a heavy sea, the raft lying first rate to the wind; lat., by obs., 40 23; long., 56 02.

Thursday, 27th. First part of this day fresh gales from N. E., and clear weather; at 5 p. m. more moderate, and the sea going down; got under weight, and set reefed mainsail and foresail; middle part, light breezes from the north; made all sail; latter part, fresh breezes from N. W. and clear; took in mainsail; lat., by obs., 40 18 N; long., 54 20 W.

Friday, 28th. First part of this day fresh breezes from the N. W.; middle part, light airs from the east; latter part moderate breezes from S. W.; all sail set; lat. 40 36; long., 52 50.

Saturday, 29th. Begins with fresh breezes from S. W. and clear weather; at 4 p. m. reefed mainsail; at 8 p. m. wind

increasing; took in mainsail and jib; at 2 a. m. strong gales, reefed foresail; at 6 a. m. heavy gales and a very heavy sea running, considered it unsafe to run any longer, hove-to; ends with heavy gales and rain, and a very high sea running; the raft riding the sea beautifully; saw ship to the northward lying-to under close-reefed maintopsail; lat., by d. r., 41 2; long., 51 10.

Sunday, 30th. Begins with heavy gales from S. W. and rain, and a very high sea running; at 4 p. m. moderated a little; at 7 p. m. the wind shifted to N. W., fresh breezes; hauled up the drag, and set reefed mainsail and foresail and kept on our course again; ends with fresh breezes and clear weather; lat., by obs., 41 34; long., by d. r., 49 45.

Monday, July 1st. First part, moderate breezes from N. W.; middle and latter part, light breezes from the westward and pleasant; all sails set; lat., by obs., 42 20 N.; long., 48 10 W.

Tuesday, 2nd. Moderate breezes and pleasant first part of this day; fresh breezes and cloudy attended with a nasty sea middle part; took in mainsail; latter part more moderate; lat., by obs., 43 18; long. by d. r., 45 55.

Wednesday, 3rd. All these 24 hours moderate breezes and foggy weather; all sail set; wind W. S. W.; lat., by d. r., 43 45 N.; long., 42 38 W.

Thursday, 4th. First part moderate breezes from W. S. W. and foggy; latter part airs from N. W. and clear; lat., by obs., 44 02; long., by d. r., 41 12 W.

Friday, 5th. First part, light airs from S. W., latter part, moderate brezes; all sail set; lat. by obs., 44 30; long., by d. r., 40 21.

Saturday, 6th. Begins with fresh breezes from S. W.; at 8 p. m. fresh gales; took in mainsail and reefed foresail; at 1 a. m. the sea got so heavy, put out the drag and hove-to; lat., by d. r., 44 50 N.; long. 38 5 W.

Sunday, 7th. At 12.20 p. m., the wind shifted to N. W., fresh breezes; hauled in the drag and run her under reefed mainsail and foresail; ends with fresh breezes and passing clouds. At noon spoke ship "Thomas Freeman," from New Orleans to the Nore, 28 days out; lat., by obs., 45 20; long., by d. r., 35 45 W.; long., by ship's chronometer, 35 24 W.

Monday, 9th. First part light airs and calm, middle and latter part, moderate breezes from S. S. E.; lat., by obs., 46 10 N.; long., by d. r., 32 45 W.

Wednesday, 10th. Fresh S. W. breezes, and a nasty cross sea all these 24 hours. At 7 p. m. spoke Bremen ship "Johanna Wilhelmina," from Baltimore for Bremen, 14 days out; at 11.30 a. m. spoke brig "J. Coffill," of Windsor, United States, from Philadelphia; lat., by d. r., 46 45 N.; long., 30 35 W.

Thursday, 11th. First part, fresh breezes from S. S. W., and rain. Latter part, fresh breezes from N. E. and cloudy. At 7 p. m. spoke Bremen bark "Argonaut," from New York for Bremen; lat., 46 52 N.; long., by d. r., 28 40 W.

Friday, 12th. Fresh breezes from N. E., and cloudy first part of this day; latter part, light breezes and clear. Lat., by obs., 46 36 N.; long., 26 42 W.

Saturday, 13th. First and middle part of this day light breezes from N. W.; latter part, fresh gales from W. S. W. and rain; lat., by d. r., 46 56; long., 24 38.

Sunday, 14th. Begins with strong gales from W. S. W. and rain; at 5 p. m. the sea getting too heavy, hove-to; middle part, strong gales and rain, the wind hauling to the N. W.; ends with fresh breezes from N. E. and passing clouds; at 11 a. m. made sail again; wind E. N. E.; lat., by obs., 47; long., 23 58.

Monday, 15th. First part, fresh breezes from N. E.; middle part, light N. W. breezes; latter part, fresh breeze from W. and cloudy; lat., by d. r., 47 25; long., 21 57.

Tuesday, 16th. Begins with fresh breezes from W. S. W. and rain; ends with fresh breezes from N. W. and passing clouds; at 8 a. m. spoke the British bark "Sir John Reid," from Cape Breton; lat., by obs., 47 23; long., by d. r., 19 30 W.

Wednesday, 17th. First part, moderate breezes and pleasant weather; middle part, fresh, W. gales and rainy; latter part strong gales; at 11.30 a. m., sea got too heavy for running, hove-to; lat., by obs., 47 53 N.; long., by d. r., 17 28 W.

Thursday, 18th. Strong gales and rain, attended with a heavy sea, first and middle part of the day; wind W. S. W., latter part, passing clouds, a little more moderate; at 8 a. m. run

again; at noon the sea got too heavy, and hove-to again; wind N. W.; lat., by obs., 47 50; long., by d. r., 16 35 W.

Friday, 19th. Strong gales from N. W. and a heavy sea first part of the day; at 8 p. m. more moderate, hauled up the drag and ran again; latter part, moderate breezes from W. S. W. and rainy; lat., by d. r., 48 5 N; long., 15 40 W.

Saturday, 20. First and middle part of this day, fresh breezes and rain; latter part, fresh and breezes and clear; wind W. S. W.; lat., by obs., 48 40; long., by d. r., 12 38.

Sunday, 21st. Strong breezes from S. W. and heavy cross sea all these 24 hours. At 9 a. m. spoke ship "G. C. Chapman;" lat., by obs., 49 20; long., 9 58.

Monday, 22nd. Strong gales and a very heavy sea running the first and middle part of this day; at 4 a. m. hove-to; at 11.30 a. m. more moderate, hauled in drag and run her again; wind S. W.; lat., by obs., 49 231; long., by d. r., 8 20.

Tuesday, 23rd. First and middle part fresh gales and a high sea; wind S. W.; latter part, moderate breezes; wind W. N. W.; lat., by obs., 49 36 N.; long., by d. r. 6 12 W.

Wednesday, 24th. Moderate and light breezes from S. W., and pleasant weather all these 24 hours; at 12.30 p. m. made the land; at 5 p. m. the Lizard bore B. by W. about 12 miles; at 12 the Eddystone Light bore N. E. by N. about 6 miles; at 7 a. m. Start Point Light bore N. by E. about 6 miles; ends with light breezes and pleasant, clear weather.

Thursday, 25th. Moderate breezes and pleasant weather; wind W. At 8 p. m., Portland light bore N. five miles; at 12 passed St. Alban's Head; at 10 a. m. passed the Needles; wind fresh from the eastward; at 4 p. m., came to anchor in Southampton Water.

THE SCOT IN NEW ENGLAND

BY JOHN CALDER GORDON

PART II

SIR WILLIAM ALEXANDER AND THE SCOTTISH COLONISTS

THE fortunate traveller who reaches Stirling, the main gateway between the north and the south of Scotland, is practically near the center of some of the most thrilling events in Scottish history,—a little country whose small area stands in glaring contrast to the greatness of its significance in modern civilization. To the visitor familiar with Scotland's history, Stirling is the most fascinating place in all the land. The Castle of Stirling is a fortification of great antiquity, the date of its origin so remote that it is lost amid the hazy traditions of the past. It is one of the best preserved and most endeared memorials in Scotland. For generations it has been the admiration of countless thousands. The beholders of its picturesque and noble grandeur is strangely and deeply moved at the sight. Here Scottish youth derives an inspiration to patriotism and to learning. One enthusiastic writer thus describes the scene:

“Who does not know Stirling's noble rock, rising the monarch of the landscape, its majestic and picturesque towers, its amphitheatre of mountain and the winding of its marvelous river, and who that has once seen the sun descending here in all the blaze of its beauty beyond the purple hills of the west can ever forget the plains of Stirling, the endless charm of this wonderful scene, the wealth, the splendor, the variety, the majesty of all which lies between earth and heaven.”

Old chronicles tell us “that it was held by Agricola during the Roman invasion and made a headquarters for the Roman legions.” Early church writers called it “Mons Dolorum,” the

Mountain of Grief, and it was also named Styreling, or Hill of Strife. In the reign of King William the Lion, Stirling Castle was one of the five principal fortresses of Scotland. During the wars with England it was several times partially destroyed and rebuilt, and it was the great prize for which—on the nearby field—the battle of Bannockburn, the Marathon of Scotland, was fought by King Robert Bruce against Edward First of England. Though many long years, it was one of the leading centers of political activity. In the words of another, it was “parent of monarchs, nurse of a kingly race.” King Alexander the First died there, and when King William the Lion was ill he asked to be taken to Stirling where he died. There in February, 1452, King James the Second stabbed the Earl of Douglas.

“Ye towers! within whose circuit dread,
A Douglas by his sovereign bled.”

On the esplanade of Stirling stands a monument of King Robert Bruce, of colossal size, and on a hill near Stirling, where Wallace defeated England's army of invasion, is the National Memorial to that great hero, a massive monument of stone two hundred and twenty feet in height. “It stands as he stood, solitary, unshaken, and majestic, towering above the country he so gallantly defended. It is a striking illustration of the fact that to destroy a man like Wallace is impossible.”

It was here in this place of such historic association that Sir William Alexander, destined to become the founder of a New Scotland in America, was born at Menstrie House in 1567. He was one of the most remarkable men of his time, possessed of an industry and versatility little short of marvelous; a knightly soul, whose renown is worthy to live forever on the page of history. To write the life of Alexander could be done better in verse than in prose. He was a hero, a Rokeby,—and outstanding figure among all those connected with the early colonization of America.

“Let our halls and towers decay,
Be our name and line forgot,
Lands and manors pass away,—
We but share our monarch's lot.

If no more our annals show,
Battles won and banners taken,
Still in death, defeat and woe,
Ours be loyalty unshaken.

Constant still in danger's hour,
Princes own'd our father's aid;
Land and honors, wealth and power
Well this loyalty repaid.
Perish wealth and power and pride
Mortal boons by mortals given;
But let constancy abide,—
Constancy, the gift of heaven."

The family of Alexander is an ancient one, tracing its descent from Somerled, Lord of the Isles, in the reign of Malcolm the Fourth, through Highland chiefs, to John, Lord of the Isles, who married the Princess Margaret, daughter of King Robert the Second. Alexander was a blood relative of some of the greatest families in Scotland—Douglas (Earls of Morton), Campbells of Argyle, Forbes, Murray, Graham and others. However, Sir William needs not the glamor and support of a noble ancestry to win a conspicuous place and a large space on the page of Scottish-American history, although in the general American, Canadian and English histories he is dismissed with a few scant lines.

Alexander early gave evidence of genius by the precocious possession of the power both of imagination and observation. He received the most thorough education that the schools of his native land and foreign countries could offer,—Glasgow University and the University of Leyden. To a wide familiarity with the Greek and Latin languages he added a knowledge of the more important European tongues, as the French, Italian and Spanish. Among his tutors was Thomas Buchanan, nephew of the more celebrated George, hence it is probable that under the influence of this eminent instructor he received the inspiration for classical learning, which at the early age of twenty-three years gained him a reputation for scholarship, enhanced by the publication of a volume of poetry. In consequence of this reputation he was selected as traveling companion to his relative Archibold, seventh

Earl of Argyle, whom he accompanied to France, Spain, Italy and other countries. On his return from this tour, he was, through the influence of the Argyle family, introduced at court, where his poetical talents and rare accomplishments gained him immediate favor.

The period during which Sir William was passing from youth to manhood was pregnant with events of world-wide importance. The reformation had just swept over the world. It had raged on the continent and extended to England and Scotland where the agitation continued until the death of Queen Elizabeth and the accession to the throne of James the First of England, 1603. Britain was full of religious enthusiasts and it was at this time that Puritanism began the aggressive movement throughout the kingdom against the established order of things. It was a restless, inconsistent age. In literature a race of giants appeared whose works were the expression of the time. The great mass of the people were eager for political, religious and economic changes. Every monarchy in Europe was subjecting the people to the utmost degree of human tyranny. Kings were weak and fickle and, the people as a whole, faithless in their allegiance. The tidings that were being constantly received of rich lands in the new world created in men's minds visions of riches accompanied by some sort of political freedom. In Scotland had just dawned a new day with its promise of a greater religious liberty, and the Scots were at the moment earnestly contending for a larger measure of free religious thought. The commercial, industrial and economic conditions of Scotland were not encouraging, and the outlook was far from hopeful. Through pressure of population and consequent lack of opportunity, Scots in large numbers, for many years previous, had emigrated to every country in Europe and many were holding high positions in the universities, the army and other government departments of France, Russia, Sweden, Poland and Germany. In all the principal cities and large towns of these countries were to be found eminent merchants of Scottish birth or immediate descent. The entire civilized world has heard, of course, of the famous Scots Guards of France, which for many years served the imperial court.

When James the Sixth of Scotland in 1603 succeeded to the

English throne as James the First of England, Sir William Alexander shared in the growing fortunes of his sovereign. He was soon afterward enrolled as one of the Gentlemen Extraordinary at Court, and became special tutor to Prince Henry. Martial of bearing, courtly and pleasing of manner, he brought to the social life of the king's household and to the council table of his royal master all the graces, amenities, and well-bred ways which at that time were articles of faith in court circles.

His versatility as an author by this time ranked him as one of the great minds of his age. As a poet he obtained an elegance in advance of the period. His "Parnassus," dedicated to Prince Henry in 1604, is a poem of eighty-four stanzas, containing lofty sentiment and administering wise counsel, fearlessly setting forth the doctrine that wicked princes may be dethroned,—and is justly described by Pinkerton as "a noble poem."

Encouraged by the king and receiving a generous appreciation from the intellectual classes of the country, he published in 1605 "The Alexandraean," a tragedy. In 1607, having composed a fourth tragedy, he published a quarto volume, entitled "The Monarchicke Tragedies,"—Croesus, Darius, the Alexandraean, Julius Caesar. To this edition was prefixed the following complimentary sonnet by his friend, Sir Robert Aytoun:

"Well, may the programme of thy tragic stage,
Invite the curious pomp-expecting eye,
To gaze on present shows of passed age
Which just desert monarchic dare baptize,
Crowns thrown from thrones to tombs dethroned arise
To match thy muse with a monarch theme.

That whilst her sacred soaring cleaves the skies,
A vulgar subject may not wrong the same,
And what gives most of lustre to thy fame—
The worthiest monarch that the sun can see,
Doth grace thy labours with his glorious name,
And deigns protector of thy birth to be,
Thus all monarch! patron, subject, style,
Make thee the monarch Tragic of this isle."

The poet-statesman enjoyed considerable intimacy with the literary men of his day. William Drummond, the bard of Hawthornden, writing to Michael Drayton in 1618 said: "I am oft with Sir William and you in my thoughts, and desire nothing more than that by letters we may oft meet and mingle our souls." In a letter, December, 1618, Drummond addresses Sir William Alexander: "Never any friendship of mine went so near my thoughts as yours. * * * There is nothing I long so much for to see the perfection of your works. May fortune one day be ashamed to see such a spirit so long attend the ungrateful court, that deserves to have the sovereignty of all Parnassus." (Mason's *Memoir of William Drummond*, page 84.)

Prince Henry died on November 6, 1612, at the age of 18 years. Among the conspicuous eulogists was Sir William Alexander in an elegy extending to four quarto leaves and published at Edinburgh. The King immediately, thereafter, appointed Sir William to the same position, that of tutor, in the household of Prince Charles.

Another poetical work from the pen of Alexander appeared in 1604 entitled "*Avrora*," containing the first fancies of the author's youth, accompanied by "an epistle," dedicated to the Countess of Argyle. In upwards of one hundred verses he celebrates the charms of a rural beauty, who rejected his pleadings, and gave her hand to another. The presentation autograph-copy of this work to Prince Henry, in the original binding, is now (1909) in the possession of the family of Lieutenant General Sir James Edward Alexander, C. B. In 1613, Sir William published a completion of the third part of Sir Phillip Sydney's romance of "*Arcadia*," which with the initials W. A. will be found in the fourth and subsequent editions of that work.

In a letter addressed to Drummond Nov. 9, 1619, Drayton writes: "Little did you think how oft that noble friend of yours, Sir William Alexander (that man of men), and I have remembered you before we trafficked in friendship." In his metrical treatise on "*Poets and Poetry*," published in 1619, Drayton commends Alexander in these lines:

"So Scotland sent us hither for our own,
That man whose name I ever would have known

To stand by mine, that most ingenious knight,
My Alexander, to whom in his right
I want extremely, yet in speaking thus
I do but show the love that was twixt us,
And not his numbers, which were brave and high;
So like his mind was his clear poesy."

To Sir William Alexander, whom he styles "My worthily beloved," John Davies of Hereford addressed the following epigram:

"Great Alexander (whose successful sword made him a god
with men) achieved no more
Than thy as happy Pen hath well assured
Unto thy name, which glory doth decore,
I know thee not; but I know I should do ill
Not to take knowledge of what is in Thee,
When thou hast published it with so great sikl
Which makes Thee o'er thy monarchs sovereign be
For they, being happy, proud unhappy men,
Whom thou hast made most happy with thy pen."

King James had long cherished a desire to compose a metrical revision of the Psalms of David, which he intended to have adopted by both the English and the Scottish churches. In a poetical effusion published about this time, the King informs the reader that should his verses be well received he would proceed to publish "such number of the Psalms as he had per-fitted, and would be encouraged to the ending of the rest." At the General Assembly held at Burntisland in 1601, he set forth the importance of improving the version then in use. The pedantic and piccant monarch, however, was destined never to have his ambition realized. At the time of his death only thirty-one Psalms have been completd, and even these were of such a mediocre character that their true value was suppressed "in the belief that a new revision, put forth in the name of the deceased King, might obtain ready acceptance." With this in view, on the 25th of August, 1626, his majesty, King Charles, informed Archbishop Spottswood of St. Andrews that "His dear father,

of famous and eternal memorie," had composed a new translation of the Psalms, and requested the archbishop to nominate "some of the most learned divines to confer with Sir William Alexander concerning the same." In view of the close, confidential relations existing between the late king and Alexander, and the well known dependence of the king on Alexander in literary matters, this statement of King Charles was untrue. The archbishop gave no attention to this letter, hence the matter remained in abeyance until toward the end of 1627 appeared in print Lord Stirling's (Alexander) translation. On Dec. 28, 1627, the author, Lord Stirling, was by royal order to the attorney general granted the sole right of publication in England for the period of twenty-one years under the title of "The Psalms of David, translated by King James."

Before midsummer, 1631, this Psalm book was issued in the two forms of octavo and duodecimo from the press of William Winter, printer to the University of Oxford. On the title page were inscribed these words: "The Psalms of King David, translated by King James," while on the next page King Charles certified that "His late dear father was the actual author,"—an unqualified fiction. By a letter issued on June 14, 1631, King Charles commanded the archbishops and bishops to allow the new version to be sung in schools as "a perpetual monument to his father's memory."

More or less ambitious efforts continued to appear from the pen of Alexander almost yearly for a considerable period. In brief, he was one of the most voluminous literary men of his time. Among his productions was a poem of 11,000 verses entitled "Dooms-day," or "The Great Day of the Lord's Judgment." "The poem epitomizes the history of the ancient world, and indulges in many lofty flights and daring speculation," which, it has been said, suggested to Milton the idea of "Paradise Lost." As a sheer tour de force it stands unsurpassed in the annals of early philosophical poetry. The king was enthusiastic over its merits and styled the author "his philosophical poet."

This is not an exhaustive or critical study of Alexander's

poetical and literary gifts, but merely an outline indicative of his keen, active, and exalted mind.

He was knighted in 1609 and in 1626 he was appointed Secretary of State for Scotland, the highest official position under the king in Scotland, which office he held until his death. In this office he was responsible for the legality of all documents relating to Scotland, which were to pass under either the Privy or the Great Seal. In 1630, he was created a Peer as Lord Alexander of Tullibody and Viscount of Stirling. The same year he was appointed Master of Requests for Scotland, which involved the duty of seeing that all Scottish petitions were suitable in matter and couched in proper language before they were brought to the attention of the king. In this office he was the adviser of the people and in the position of secretary of state he was the counsellor of the king. In 1631 he was made a judge Extraordinary of the Court of Sessions. In 1633 he received additional honors, being appointed Earl of Stirling and Viscount of Canada, to which title was added, in 1639, that of Earl of Dovan. He was also Lieutenant-General and Admiral of New Scotland.

Our chief interest, however, in Alexander is in his relation to early American colonization. The crowns of England and Scotland at this time were upon one head, although the kingdoms and people were still separate, their governments distinct and their interests different and sometimes regarded as hostile. Early in his career at court in England, we find Sir William becoming interested in American colonization, and seeking to obtain all the information to be had on the subject.

In 1620, Sir Ferdinando Gorges, governor of New Plymouth, received from King James the famous patent by which forty English subjects were constituted as "The Council for Planting, Ruling and Governing New England." The colonists found on their northern border some French settlers, and Sir Ferdinando on behalf of his people appealed to the English Government to dislodge them. King James immediately consulted his philosophical poet, Sir William Alexander, owing to his intimate knowledge of all the parties concerned and the conditions connected therewith. Alexander was a member of the council

for New England and intimately associated with Sir Ferdinando Gorges in that enterprise, and doubtless had many conferences on this subject with Gorges and Sir Walter Raleigh, with the latter of whom he was on close friendly terms.

Because of his interest in and sympathy with Raleigh, he used his influence with his pupil, Prince Henry, to have him intercede with his father, the king, for the release of Raleigh from imprisonment in the Tower. The young prince was a frequent visitor to Raleigh, whose noble qualities of mind and heart he greatly admired, and sincerely sympathized with him in his bitter experience. "No man but my father would keep such a bird in a cage," said Prince Henry, and he succeeded in obtaining a promise from his father to release Raleigh the next Christmas, but this appears to have been conveniently forgotten after Prince Henry's death, Nov. 12, 1612. The true friendship and sympathy of this high-minded, royal youth gave to Sir Walter the inspiration to write a history of the world, which he intended to dedicate to the prince. The latter's death, however, killed the author's spirit and the work was never completed.

Sir William Alexander after a close study of the climate and resources of the lands beyond the sea in the new world applied his clear sighted vision to the conditions existing among his own countrymen and the best methods to be adopted to enlist their interest in American colonization. He early came to the conclusion that the only successful way to induce Scotsmen to settle in America would be to set apart a portion thereof and establish a new Scotland. In a work relating to colonization written by Alexander about this time, referring to his connection with Gorges, he says: "Being much encouraged hereunto by Sir Ferdinando Gorges and some others of the undertakers for New England I shew them that my countrymen would never adventure in such an enterprise, unless it were as there was a New France, a New Spain, and a New England, that they might likewise have a New Scotland." This conclusion was forced upon Alexander only after much earnest thought and in spite of the appeals of Gorges, Raleigh and others, who desired his active cooperation and weighty influence in their own colonization enterprises.

In Sir William Alexander's house in London gathered all the leading lights in the political, literary and social world to be found in the three kingdoms, England, Ireland and Scotland. Meetings of the council for New England, of which Sir Ferdinando Gorges was president and the moving influences were held there. The various attempts already made to found settlements in America, namely, Sir Walter Raleigh at Roanoke Island, Virginia; Jamestown, Virginia, and Popham, Maine, and the disaster which overtook them, was not encouraging to Alexander. The best knowledge and information attainable anent America at that day was of an exceedingly meager character. The interior was unknown, only a glimpse of a few spots on the seaboard had been obtained, so that up to 1621 the student of early European attempts to found colonies in America is particularly struck with the meagreness of results.

Early in 1621, he made a formal petition to the king for a grant of territory in North America, on which he hoped to induce Scotsmen to settle. "A great number of Scotch families," he told his sovereign, "had lately emigrated to Poland, Sweden and Russia," and he pointed out that "it would be equally beneficial to the interest of the kingdom, and to the individuals themselves if they were permitted to settle this valuable and fertile country."

The petition was granted by the king, endorsed by the Privy Council and a charter granted, the sort of document which the Duke of Argyle believed to be "the most sacred on earth." As far as paper grants were concerned, Sir William Alexander was probably the largest land holder the world has known. King James I and his son, King Charles I, gave Alexander grants of territory which included not only the greater part of Canada, but also what is now one-half of Maine, at least one-third of New Hampshire, nearly the whole of Vermont, three-fourths of New York, a considerable part of Massachusetts, one-half of Pennsylvania, more than half of Ohio, all of Michigan, and a part of Indiana. The original titles to the islands of Nantucket, Martha's Vineyard, Naushon, Nashawena, Pasque, and Pempoose, known as the Elizabeth Isles, so-called by Captain Bartholemew Goshold, who explored them in 1602, in honor of Queen Elizabeth,

were conveyed by Sir William Alexander or his son and successor to the first settlers.

In passing it is interesting to note that Thomas Mayhew, an English gentleman, one of the original settlers of Watertown, Massachusetts, in the year 1641 bought from the Earl of Stirling (Alexander) Nantucket, Martha's Vineyard, Nasshon, Cuttyhunk and the neighboring islands, who, with some of his neighbors, decided to found a plantation at Great Harbor on the Vineyard as Edgartown was then called. The purpose of the new owners was to organize this territory after the manorial system of England, for we find in the oldest records concerning this transfer that the island is styled the "Manor and Lordship of Martha's Vineyard."

Sir William Alexander immediately sought the cooperation of his friend Sir Robert Gordon of Lochinvar, one of the powerful nobles of his day, and an arrangement was made by which the latter obtained possession of the island now called Cape Breton. To this territory was given the name of New Galloway. Sir Robert Gordon and Robert, his son, obtained a charter for this territory direct from the King, date Nov. 8, 1621.

The charter accompanying the first grant of land to Alexander appointed Sir William and his heirs hereditary lieutenants-general and designated the territory as New Scotland, comprising all that section of country to the east of the river St. Croix, and south of the St. Lawrence, lying between the colonies of New England and Newfoundland. This territory included all of what is now known as Nova Scotia, New Brunswick, Prince Edward Island, part of the State of Maine, and that portion of the Province of Quebec south of the St. Lawrence, covering altogether an area of not less than 54,000 square miles. It was in all future time to have the name of New Scotland, or, as it appears in the courtly latin of the original charter "Nova Scotia,"—the christening of a new land. The charter gave almost unlimited privileges and powers, commercial, civil and ecclesiastical,—the power of setting up states, free towns, free ports, etc., of establishing markets and fairs, of holding courts of justice and admiralty, of levying all tolls, customs, anchor dues, and other revenues of the said towns, etc., with all other pre-

rogatives, etc., which the king himself could give or grant, and in as ample form as any of his ancestors granted any charter to any subject of whatever rank and character. It also constituted Sir William and his heirs sole representatives of His Majesty both by sea and land, authorizing them to govern, rule and punish all his subjects, to pardon the same, to establish such laws, etc., as they saw fit, and to change and alter the same, in case of rebellion, to use martial law, and in case of noblemen joining the enterprise, to confer favors, privileges, gifts and honors on those who deserve them, and to convey any part of the land.

This charter was evidently looked on as an act of unusual importance, for we find on its face portraits of the king and the lieutenant-general, the former seated on the throne and in the act of handing the charter to Alexander. The border of the document was decorated with embellishments illustrative of the material resources of the new country.

Sir William immediately planned measures for sending colonists to his new domain. The scope, energy, and enthusiasm with which he entered on this new enterprise were worthy of a great empire builder. "For God and Country" was his motto. In March, 1622, he provided a ship at London which he sent round the coast to Kirkcudbright. There he hoped through the influence of his friend, Sir Robert Gordon, whose lands lay in that direction, to recruit a body of emigrants. Conditions at the moment, however, were not favorable owing to the fact that provisions of all kinds had recently trebled in price. The vessel ultimately sailed in June, and had a favorable passage until very near the Newfoundland coast, when a great storm arose and the colonists were driven to seek shelter in Newfoundland. The storm having wrought much damage to the supplies, and the bitter experience having broken their courage and spirit, the colonists proceeded no further but remained in Newfoundland, many of them engaging in the fishing industry already established on its shores.

In March of the following year, a ship named the *St. Luke* was dispatched with additional colonists and needful supplies. In due time this vessel reached Newfoundland, where a number

of those who came on the first expedition were taken on board. The ship then proceeded along the coast on an exploring expedition from the mouth of the St. Lawrence to Plymouth in Massachusetts, and after careful examination finally settled on what is now known as the Annapolis Basin in Nova Scotia as the site offering the best inducement for permanent settlement. No settlement, however, was effected that year owing to the lateness of the season and the evidence of French traders and fishermen in the neighborhood.

Here they found that since the visit of Argall in 1613, the French had multiplied in formidable numbers, not only in the neighborhood of the Annapolis Basin (Port Royal) but in various other parts of the territory. Under these circumstances they considered it prudent to seek reenforcements and be better prepared to resist the French before making any attempt at a permanent settlement. Hence they sailed for Newfoundland, took on board a cargo of fish, and returned to Britain, making a careful and detailed report to Sir William Alexander. These two expeditions involved Sir William in heavy expense, upwards of six thousand pounds sterling.

INDEPENDENCE DAY IN 1810

HOW OUR ANCESTORS PLANNED THEIR SAFE AND SANE CELEBRATIONS OF THE FOURTH

BY B. T. KNIGHT

IT is decidedly interesting to note how closely the plans that were carried out this year for the "safe and sane" celebration of the Fourth compare with those of our ancestors. For many years the Fourth has been the occasion for limitless noise, and, as the result, from one end of the country to the other have come the reports of mishaps and fatalities to swell the record of deaths and injuries to horrible proportions.

One hundred years ago, however, nothing of this sort was known. The noise, or such noise as there was, emanated from the gun, or cannon, in the hands of the uniformed militia, for the idea that every patriotic young American must have an individual supply of fireworks with which to express his love for his country had not then been suggested. Accordingly, few casualties were reported and the day was one of unalloyed delight to those who crowded the streets to do honor to the brave patriots who had made Independence Day a possibility.

On July 4, 1810—just one hundred years ago—the nation was thirty-four years old. General George Washington had been dead but eleven years, and many persons were still alive who had fought in the Revolution, and who had listened to the first readings of the celebrated Declaration of Independence. To them, therefore, the celebration had a personal appeal that may be lacking to-day, but it is doubtful if the holiday was more widely observed, or was made the occasion for the display of more genuine patriotism.

In reading the reports of the manner in which the day was observed in all the larger American cities, however, we cannot

fail to be struck by the fact that our present-day plans for a "safe and sane" Fourth are strikingly similar to the programs that our ancestors arranged, and we are obliged to confess that our most modern methods of celebrating the nation's birthday are really nothing more or less than the old-fashioned methods revived and supplemented with a few additional attractions.

In Washington, which had been the capital of the United States for about a decade, President Madison cooperated with the officials to make the day a memorable one. At dawn, a salute was fired by the soldiers, and there were similar salutes at noon and sunset. At 10 o'clock, a public meeting was held at the Baptist Church, near President Square, at which the Declaration of Independence was read, patriotic songs were sung, and there was an oration by Robert Polk. This meeting was attended by the President, the heads of departments, and several members of the diplomatic corps.

Immediately succeeding this service, the President tendered a reception and elaborate collation to the people at the Executive Mansion, and several hours were spent in social intercourse. During the afternoon two dinners were held, one at Long's Hotel, at which the officers of the Federal and municipal governments entertained some of the diplomatic representatives, and the other at Lindsay's Hotel, where an exceptionally large company was served. At this dinner no dish appeared on the table that was not distinctively American in character, and, at both repasts, there were songs and music and many toasts.

In addition to the two formal dinners, many of the distinguished residents of the city entertained during the day, some at dinners and other at evening parties, and those who had no other engagements attended the performance at the Washington Theatre, where a special bill was presented, including the first presentation of a much-commended melodrama, "The Blind Boy," an entertainment of singing, recitations, and dancing, entitled "Columbia's Independence, or the Temple of Liberty," and a then-popular comic opera called "Too Many Cooks."

In New York City, the customary salutes were fired at dawn, at noon, and again at sunset, guns being fired and the bells of

the churches rung. By order of the city corporation, flags were liberally displayed, both on public buildings and by individuals, as well as at the masthead of all vessels in the harbor.

At 7 o'clock in the morning there was training and a review of the uniformed corps at the Battery, and at the conclusion of the evolutions, the militia paraded through the principal streets, after which they returned to the Battery where a special salute was fired just before they were dismissed.

At noon, the members of the Washington Benevolent Society and the Hamilton Society assembled on the College Green, and paraded through the streets to the circus, where public exercises were held. These consisted of instrumental selections by the King's Band and the band of the Hamilton Society, the reading of the Declaration of Independence, the delivery of an oration, and the program ended with the rendering of "Yankee Doodle." During the exercises a collection was taken for the relief of the poor members of the Washington Society. In the evening rockets were sent up from the Battery, Fort Columbus, Staten Island, and Gibbet Island.

This completed the official program, but there were a host of private dinners and public entertainments to which everybody resorted. Both the American Museum, at No. 21 Chatham Street, and the New York Museum, at 166 Greenwich Street, had new attractions to offer for the delectation of the curious, and there was a show of wax figures at the Union Hotel, No. 68 William Street.

The theatrical performance in the evening consisted of a play and an afterpiece, the former entitled "Free Knights, or the Edict of Charlemagne," and the latter, "The Caravan, or the Driver and His Dog." There was also a grand illumination and concert at Vauxhall Garden.

Beyond the firing of salutes, there seems to have been no public celebration of the Fourth at Philadelphia in 1810. At the same time, several patriotic meetings and dinners were held, at which there were appropriate toasts and orations, and where the Declaration of Independence was read. The first meeting was that of the Pennsylvania State Society of the Cincinnati, which met at the State House for the transaction of business, following which the members marched to Fouquet's Hotel, where there was an

elaborate dinner, with twenty-five toasts. Among the other diners were those of the Sons of Washington at the Mansion House; the American Republican Society, at a newly erected building on the banks of the Schuylkill, and that of the First and Second Troop of Cavalry, at Mendenhall's Tavern, also on the Schuylkill.

Boston observed the day with the customary salutes and ringing of bells. At 11 a. m., a procession was formed at the State House, in which the State and municipal officers joined, and under the escort of the Boston Light Infantry and the Winslow Blues, marched to the Old South Meeting House, where the Declaration of Independence was read, religious exercises were conducted by Rev. Mr. Channing, and an oration was delivered by Alexander Townsend.

At the conclusion of the program there was a short parade, and, at 2 o'clock, more than six hundred persons were served with luncheon at Faneuil Hall, which had been splendidly decorated for the occasion.

The Young Republicans met at the Exchange Coffee House in the morning, and, at 3 o'clock, they joined the members of the Bunker Hill Association, and with the Washington Infantry, the Independent Fusiliers, the Charlestown Association and the Republican Blues, marched to the bower on Bunker Hill, where they dined, and drank many toasts to patriotic sentiments.

It was estimated that no less than ten thousand persons witnessed the fireworks display that was given on the Common in the evening to conclude the public program.

Similar celebrations were held in nearly all the smaller cities, for there were few places so small, or so lacking in patriotism, that they allowed the day to pass unnoticed. The program everywhere was about the same: salutes at dawn, noon, and sunset; a public meeting at which there was a patriotic oration and where the Declaration of Independence was read, and, usually, martial music. In many places, a parade and dinner rounded out the program, and sometimes there were fireworks in the evening—a form of celebration that was duplicated this year in many towns and cities in which the “safe and sane” Fourth idea was carried out.

LAND-BOUNTIES TO LINCOLN, GRANT, LEE AND DAVIS

BY J. B. OFNER

THE four opposing leaders of the Civil War, Lincoln and Davis, Grant and Lee, were each accorded the privilege of selecting one hundred and sixty acres of the public domain for prior military services in behalf of the United States. Lincoln and Grant received patents for their land. Lee sold his right and it was afterwards satisfied in the hands of his vendee. Davis' claim is outstanding. These rights were evidenced by bounty-land warrants which issued under general legislation to persons performing like service.

Lincoln's warrants—numbers 52076, for 40 acres, and 68645, for 120 acres—were issued April 15, 1852, and April 22, 1856, respectively, for his service as captain in the Illinois Volunteers during the Black Hawk War. His power of attorney, authorizing the location of the first warrant, well illustrates his painstaking methods as a lawyer. On July 21, 1854, this warrant was located in Lincoln's name at the Dubuque, Iowa, land office, on the northwest quarter of the southwest quarter of section twenty, township eighty-four north, range fifteen west of the fifth principal meridian, Tama county, Iowa, for which patent issued June 1, 1855. The one hundred and twenty acre right was located at the Council Bluffs, Iowa, land office on the east half of the northeast quarter and northwest quarter of the northeast quarter of section eighteen, township eighty-four north, range thirty-nine west, of the fifth principal meridian, Crawford county, Iowa. The title to both tracts ultimately vested in the last surviving heir, Robert T. Lincoln, who has since sold them.

Grant's warrant was predicated on his service as Second Lieutenant and Quartermaster, 4th Regiment, U. S. Infantry,

Known all men by these presents that
 Abraham Lincoln of the County of Sangamon
 in the State of Illinois regarding & interest
 trust & confidence in the skill and ability
 of John Davis in the County of Sangamon
 State of Iowa do appoint him my true &
 lawful attorney in fact for me his my
 order to locate the land warrant No
 53076 for 40 acres of land on the
 North West 1/4 of South West 1/4 Section No 20 in Township
 84 north in range No 15 West of the
 Land Survey of private Entry at the Land
 office at Sangamon Iowa for me his my
 order to execute all instruments in writing
 that may be necessary or legal in and to
 fully to execute the power herein granted
 hereafter so doing this shall be your
 sufficient warrant.

Given under my hand and seal
 this 15th day of July A.D. 1854

A. Lincoln (LS)

State of Illinois
 County of Sangamon } This day personally appeared
 before me the undersigned acting
 Justice of the peace in said County Abraham Lincoln
 to me known to be the person whose name is
 the above title of Attorney before then acknowledged
 that he executed the same freely and voluntarily
 for the uses therein set forth

Witness my hand and seal this 15th day
 of July 1854 Wm. H. E. (JP) (LS)

in the Mexican War. He selected a quarter section in the "Farthest North" portion of Michigan, for which he was given a patent on September 1, 1853. Lee earned his warrant as a Captain, United States Engineer Corps, Mexican War, and the government redeemed the same with a grant in Wisconsin, in favor of his transferee, in 1856.

On June 28, 1855, Jefferson Davis received a warrant for his service as Colonel in the First Regiment, Mississippi Rifles, in the war with Mexico. He failed to convert it into land, and, under a Congressional enactment of March 2, 1867, prohibiting the payment of claims to parties who encouraged the rebellion, was prevented from so doing. This act, however, was repealed on March 11, 1898.

Warrants for eighty acres under the act of 1855 contained Davis' picture as President Pierce's Secretary of War. The bitterness of the times was aptly illustrated by the appearance of some of these warrants with the word "traitor" written across his likeness. On November 28, 1860, after 49,076 warrants had been issued, General Scott's picture was substituted.

The public domain was always regarded as one of the sinews of war. In 1754 Governor Dinwiddie encouraged enlistments in the French and Indian war with an offer of 200,000 acres. George Washington obtained 15,000 acres of this quota for his own service. The Continental Congress even retaliated against Parliamentary measures inviting desertions in the American army, by offering land to the British officers and soldiers who would desert and become citizens of the States. No service in the American cause was required. These resolutions were primarily intended for the Hessians. Large areas of land were granted for service in the Revolution, the war of 1812, the war with Mexico and the Indian wars. The warrants in favor of the soldiers in the war of 1812 were first satisfied out of military reservations in Illinois north of the Illinois River; in Missouri north of the Missouri River, and in Louisiana between the Arkansas and St. Francis Rivers, being within the present limits of Arkansas. Without calculating the bounty-lands granted by the States for Revolutionary War service, nearly 64,000,000 acres of the public domain were given by the Federal government in return for the military

services of its valiant defenders (63,937,010 acres up to June 30, 1908). The government also granted approximately 3,770,000 acres in the Virginia Military District of Ohio, besides 150,000 acres in Illinois to General George Rogers Clarke and his followers, in accordance with the terms of the cession of the Northwest Territory, in addition to issuing scrip to the extent of over two and one-half million acres in redemption of warrants issued by Virginia to her own soldiers in the Revolutionary War. It is estimated that Federal warrants aggregating nearly 2,000,000 acres are yet to be satisfied (1,951,340 acres to June 30, 1908).

It is a noteworthy fact that in the earlier bounties a distinction was maintained between the grants to the officers and soldiers, which varied in some instances from 300 acres to a private to 15,000 acres to a major-general. This recognition of rank was gradually dispensed with, and, after the war of 1812, all were placed on an equal footing and received 160 acres regardless of rank. It is suggested that this is one of the landmarks of the growth of the spirit of democracy and equality. In 1850 the surviving officers of the war of 1812 held a meeting in Washington, D. C., and memorialized Congress to restore the former policy, recognize the difference in position and give them additional tracts commensurate with their military rank. Their efforts were futile. Services rendered after March 3, 1855, were not rewarded with land grants. The enlisted men of the Civil War were given bounty in money and the Union officers and soldiers who were honorably discharged after 90 days' service were entitled to have the length of military service, not exceeding four years, deducted from the five years' period of residence required in seeking title to land under the Homestead Law. The comparative shrinkage in the public domain, the large number of possible beneficiaries and the then newly adopted policy of giving land to actual settlers, militated against rewarding the soldiers of the Civil War with land.

The records of the revolutionary land grants are continuously consulted by family historians, genealogists and prospective candidates for membership in the Daughters of the American Revolution and other patriotic societies.

FRENCH EXILES IN NEW YORK

BY L. LAMPREY

THE first colony of French exiles in New York arrived almost as early as the Hollanders. In November, 1867, there were enough French Huguenots in New Amsterdam to form the church known as the Temple du St. Esprit, of which the Rev. Pierre Peirit, a Provencal, was the pastor. In 1716 there was a French club in New York and at about the same time a new church was built for the Huguenots, on the site afterward accupied by the Produce Exchange. Their bell, which was the gift of Sir Henry Anhurst, later became the property of the French Protestant Church at New Rochelle.

After the turbulent times following the French Revolution, however, French exiles of noble family flocked to New York as they did to England and to Ireland. The most distinguished was Louis Philippe, afterward King of the French, and New York is probably the only city which can boast that once, within her borders, a king kept school. At one time the exiled Duke is said actually to have kept a school for youthful Americans, in the parlors of Somerindyke House. He reached New York through the aid of Gouverneur Morris, who placed £1,500 to his credit in London and later entertained and assisted him in various ways. The Duke of Orleans and his two brothers, the Duke de Montpensier and the Count de Beaujolais, travelled through the interior of the United States on horseback in 1798, attended by a single servant. The citizen king is said to have remarked to a bumptious fellow-countryman who insisted on the pride of blood, when the royalists were again in power, "I have blacked my own boots, and, if necessary, I can do it again." Certain it is that, despite his warm friendship with

Morris and with Hamilton, he must often have been reduced to straits of various kinds during his stay in America.

Some of the French exiles in New York and elsewhere, as will be seen, not only blacked their own boots and sometimes other people's, but turned their hand to anything that promised an honest living. The one trait they seem to have had in common is a lack of false pride, and this perhaps is one reason why they have contributed as materially as they have to the fame and prosperity of the city.

Hamilton was also intimate with Talleyrand, who visited at Burr's home on Richmond Hill also, and who, a generation ago, figured in nearly all the reminiscences of New York's oldest citizens. At one time he lived on Cedar street, as did several others of his more or less distinguished countrymen.

Audubon's house is still standing, not far from the Hispano-American Museum, and has given its name to a whole section of New York in the region once known as Audubon Park. His monument in Trinity Cemetery is one of the most quaintly interesting of memorials.

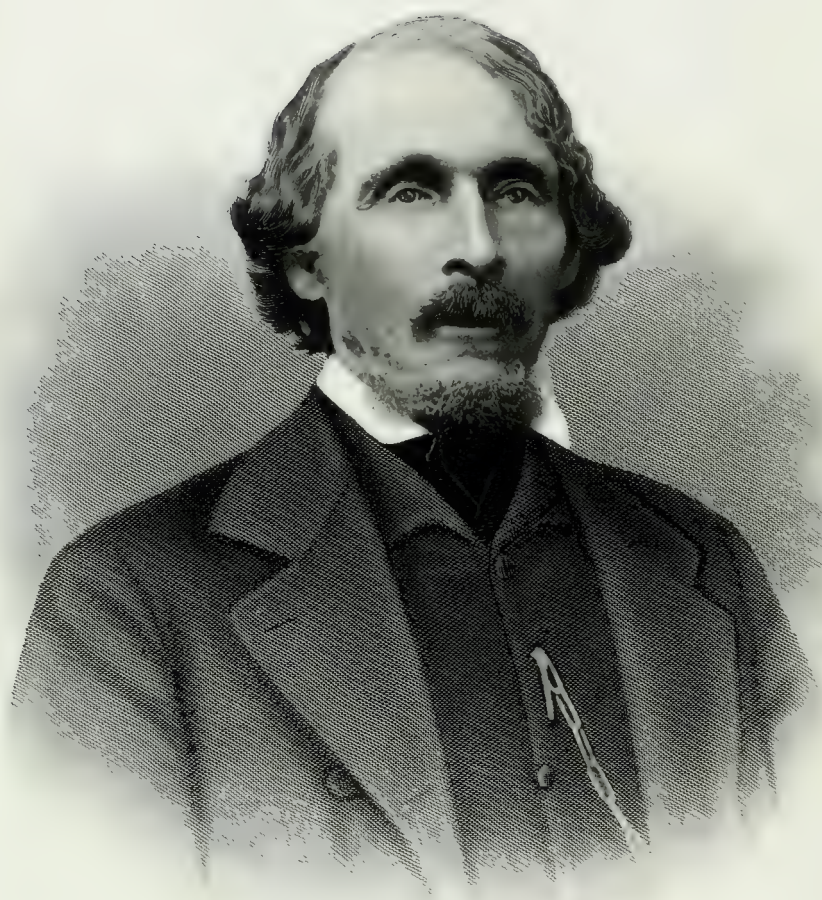
Mr. Viellecour, an old-time member of the New York French colony, remembered not only Talleyrand but many other picturesque and interesting Frenchmen who once frequented Broadway and the Battery and City Hall Park. Among them was the one-time deputy Billaud de Varennes, who played a prominent part in the French Revolution, and was afterward one of the French colony on William street.

Mr. Viellecour gives a graphic sketch of the old confectioner and pastry-cook, Auguste Louis de Singeron, who was for many years one of the best known caterers in the city. This courageous old aristocrat was one of the officers who defended the Tuileries on that memorable occasion when the mob invaded the palace and laid hands on its hapless inmates. Escaping with his life, flying from the country, he landed in New York harbor with his life and nothing else save the clothes he wore. He took up his business of confectioner through chance, having first tried to make a living at teaching French. The untrained and rude tongue of the New York youth did not easily adjust itself to the precision which the courtly ear of de Singeron demanded, and he was alto-

gether too severe in his requirements to get on easily in this commercial town. One day he made some molasses candy for the little son of his host, and found it so enthusiastically appreciated that he wisely concluded that New York might be quite ready for French confectionery though it was not trained to French manners. Thoroughly French and royalist his wares certainly proved. The gilt gingerbread he sold was made in the figures of the king and queen, and the marchpane he made was fashioned to represent the facade of the Tuileries. Wonderful blanc-mange he made, too, in the form of bewigged gentlemen and ladies in court costume, trembling in delicious snowy whiteness. He was the first to decorate New Year's cakes with Cupids wreathed in rose-garlands, and in all that he did was the French deftness of touch and the cunning French flavor. His courtly manner, too, never deserted him—unless some awkward lout, lounging in the doorway, held the door open so that an icy blast swept through the shop and spoiled the cake or scattered dust over everything. Then he would exclaim "*Peste soit le bete*"—and a rapid volley of French indignation would follow, with probably an apology a minute later for having lost his temper. Brave, honest, independent de Singeron, choosing rather to make an art of his trade than to debase an art to a trade—he must have been a good object lesson to some of the folk in old New York.

Another quaint figure of a different type was Admiral Pierre de Landais, who fought under John Paul Jones, and died—or, to use his own words as they appeared on his gravestone, "disappeared," in 1818, at the age of eighty-seven. All he had to live on for forty years was a diminutive, almost invisible, annuity of \$105 a year, the remains of prize money gained at the beginning of the American Revolution. "Two dollars a week, and one dollar remaining for charity, at the end of the year," he used to say. It is recorded of him that when, after many years, he met the man who had been his bitterest enemy and to whom he owed his great misfortunes, the man whom he had more than once threatened to kill if they ever did meet, he spat on the pavement and told the other to "consider that his face." Surely no one but a Frenchman could have conceived that refinement of contemptuous dismissal!

These French exiles are figures of the past, but they deserve not to be quite forgotten. There are many descendants of other exiles living in New York, of whom the public seldom hears except in July, when there is a casual mention of their celebration of the Fall of the Bastile, or on semi-occasional alliances of two prominent families by marriage. When the latter occurs, the people who read the society columns look down the list of French names of bride and groom and honored guests, and suddenly recognize the existence of a large, important and wealthy French colony in the New York of to-day.



William Henry Hall

HISTORY OF THE MORMON CHURCH

By BRIGHAM H. ROBERTS, Assistant Historian of the Church

CHAPTER XXIV

THE EXPULSION OF THE SAINTS FROM JACKSON COUNTY, MISSOURI
(Concluded)

ON July 23rd the mob, to the number of some five hundred, again came dashing into Independence bearing a red flag, and armed with rifles, pistols, dirks, whips and clubs. They rode in every direction in search of the leading Elders, making the day hideous with their inhuman yells and wicked oaths. They declared it to be their intention to whip those whom they captured with from fifty to five hundred lashes each, allow their negroes to destroy their crops, and demolish their dwellings. Said they:

“We will rid Jackson County of the ‘Mormons’ peaceably if we can, forcibly if we must. If they will not go without, we will whip and kill the men; we will destroy their children, and ravish their women!”

The leading elders seeing their own lives, and the property and lives of those over whom they presided in jeopardy, resolved to offer themselves as a ransom for the Church—willing to be scourged, or even put to death if that would satisfy their tormentors, and stop their inhuman cruelties. The men who thus offered their own lives for the lives of their friends were:

John Corrill, John Whitmer, W. W. Phelps, A. S. Gilbert, Edward Partridge and Isaac Morley.

This did not appeal to the mob leaders. With brutal imprecations they told these men that not only they, but every man, woman and child would be whipped or scourged until they consented to leave the county, as they had decreed that the “Mormons” should leave the county, or they “or the ‘Mormons’ must die.”

The presiding brethren, finding that there was no alternative but for them to leave speedily or witness innocent blood shed by fiends incarnate, concluded to leave Jackson county.¹ A new committee was selected by the mob to confer with the brethren, and the following agreement was entered into:

The leading elders with their families were to move from the county by the first of January following; and to use their influence to induce all their brethren to leave as soon as possible, one half by the first of January, 1834, and the remainder by April, 1834. They were also to use all the means in their power to stop any more of their brethren moving into the county; and also to use their influence to prevent the Saints then enroute for Missouri settling permanently in Jackson county, but for these men on the way they were to be permitted to make temporary arrangements for shelter until a new location was agreed upon by the society. John Corrill and A. S. Gilbert were to be allowed to remain as general agents to settle up the business of the Church, so long as necessity required. Gilbert, Whitney & Co. were to be permitted to sell out their merchandise then on hand, but no more was to be imported. The *Evening and Morning Star* was not again to be published, nor a press established by any member of the Church in the county. Edward Partridge and W. W. Phelps were to be allowed to pass to and from the county to wind up their business affairs, provided they moved their families from the county by the first of January following. On the part of the mob, the committee pledged themselves to use all their influence to prevent any violence being used against the Saints, so long as the foregoing stipulations were complied with on the part of the Church.²

1. It was the diabolical threat made above that led the six brethren, recognized as leaders among the Saints, to sign the agreement to leave the state. Oliver Cowdery makes the statement as follows: "What could be the object of these men in killing husbands and exposing to death the lives of infants? That they might gratify their wantonness upon innocent mothers and virgins! for this was their last threat which caused those six on the 23d of July last, to agree to leave the county of Jackson. Said they, 'We will rid Jackson county of the Mormons, peaceably if we can, and forcibly if we must. If they will not go without, we will whip and kill the men; we will destroy the lives of their children, and ravish their women!' Thus far, we are thankful to a merciful Providence, that all these threats have not yet been put into execution; and we may account it more to the over-ruling hand of the Father of the afflicted, than any principles of honor or virtue existing in the hearts of the mob." (*Evening and Morning Star*. Vol. II, No. 17, February, 1834).

2. *Evening and Morning Star*, p. 229.

A day or two after this treaty was entered into, the Church in Zion dispatched Oliver Cowdery to Ohio to confer with the general Church authorities on the situation of the Saints in Missouri. This conference resulted in the general authorities sending as special messengers Elders Orson Hyde and John Gould to Jackson county, with instructions to the Saints not to dispose of their lands or other property, nor remove from the county, except those who had signed the agreement to do so.

While the Saints were making efforts to carry out the first part of the stipulation entered into with the mob of Jackson county, the mob on their part failed to refrain from acts of violence. Daily the Saints were insulted. Houses were broken into, and the inmates threatened with being whipped if they even stirred in their own defense. But truth began to make itself heard. As the lawless acts of the mob became known, they called forth execrations from various quarters. A number of articles published in the *Western Monitor*, censured the conduct of the mob, and suggested that the Saints seek redress of the state authorities for the wrongs they had suffered. Whereupon the leaders of the mob began to threaten life, and declared that if any "Mormon" attempted to seek redress by law or otherwise, for defamation of character, or loss of property, he should die.

These threats, however, did not deter the Saints from appealing to the chief executive of the state for a redress of grievances. A petition setting forth their sufferings, and denying the allegations of the mob, was presented by Orson Hyde and W. W. Phelps to Daniel Dunklin, who, at the time, was governor of the State. In addition to relating the story of their wrongs, and denying the charges made by the mob, upon which the "old settlers" of Jackson county depended to justify their acts of cruelty toward the Saints, the petition set forth that whenever that fatal hour arrived that the poorest citizen's person, property, or rights and privileges shall be trampled upon by lawless mobs with impunity, "that moment a dagger is plunged into the heart of the Constitution of the country, and the Union must tremble." "We solicit," said they, "assistance to obtain our rights; holding ourselves amenable to the laws of our country, whenever we transgress them." They asked the governor by express procla-

mation or otherwise to raise a sufficient number of troops, who, with themselves, might be empowered to defend their rights; that they might sue for damages, for the loss of property, for abuse, for defamation of character, and, if advisable, try for treason those who had trampled upon law and government, that the law of the land might not be defied, nor nullified, but peace restored to the country.

To this very reasonable request Governor Dunklin made a patriotic reply. He stated he would think himself unworthy the confidence with which he had been honored by his fellow-citizens did he not promptly employ all the means which the Constitution and laws had placed at his disposal to avert the calamities with which the Saints were threatened, and added:

“Ours is a government of laws, to them we all owe obedience, and their faithful administration is the best guarantee for the enjoyment of our rights. No citizen, nor number of citizens, have a right to take the redress of their grievances, whether real or imaginary, into their own hands. Such conduct strikes at the very existence of society, and subverts the very foundation on which it is based. I am not willing to persuade myself that any portion of the citizens of the state of Missouri are so lost to a sense of these truths as to require the exercise of force, in order to insure respect for them.”

The Governor advised the threatened Saints, therefore, to make a trial of the efficacy of the laws; that wherein their lives had been threatened, they make affidavit to that effect before the circuit judge, or the justices of the peace in their respective districts, whose duty it then became to bind the threatening parties to keep the peace. By this experiment, he said, it would be proven whether the laws could be executed or not; and in the event that they could not be peacefully executed, the governor pledged himself, on being officially notified of the fact, to take such steps as would insure a favorable execution of them.

As to the injuries the Saints had sustained in the loss of property, the governor advised them to seek redress by civil process, expressing the opinion that the courts would grant them relief.³

I do not doubt the sincerity of Governor Dunklin in giving this

3. *Evening and Morning Star*, Vol. II, p. 231.

counsel to the Saints, and under ordinary circumstances to seek redress at the hands of the civil authorities would be the proper thing to do. But in this case the officers of the law had been the head and front of this high-handed and infamous proceeding. In proof of this statement I give the names and offices held by those who were most active in the lawless proceedings herein related: S. D. Lucas, *colonel, and judge of the county court*; Samuel C. Owens, *county clerk*; Russel Hicks, *deputy clerk*; John Smith, *justice of the peace*; Samuel Weston, *justice of the peace*; William Brown, *constable*; Thomas Pitcher, *deputy constable*. Besides these there were Indian agents, postmasters, doctors, lawyers and merchants.

These were the men who had despoiled the Saints—these the ones, in connection with the secret assistance of the *Lieutenant governor of the State*, Lilburn W. Boggs, who inflamed the minds of the ignorant frontier settlers against an innocent people, and encouraged the vicious to maltreat the virtuous. Surely it was only a forlorn hope the Saints could entertain of being redressed for their wrongs by appealing to the very parties who inflicted those wrongs upon them; and yet it was about the only course open to the governor to suggest at that time. Being willing to magnify the law, the Saints acted upon the governor's advice. For this purpose they engaged the services of four lawyers from Clay county, then attending court at Independence, *viz.*: *Messrs.* Wood, Reese, Doniphan⁴ and Atchison.⁵ These gentlemen engaged to plant all the suits the Saints might wish to present before the courts, and agreed to attend to them jointly throughout for one thousand dollars. W. W. Phelps and Bishop Partridge gave their notes for that sum, endorsed by Gilbert, Whitney & Co.

Having made all necessary preparations for obtaining by civil process redress for the wrongs inflicted upon them by the mob, Sunday, the twentieth day of October, the Saints declared pub-

4. This was Alexander W. Doniphan, who subsequently took so prominent a part in the Missouri events to be detailed in a subsequent chapter; and who still later served with such marked distinction in the war with Mexico 1846-7. See *Magazine of American History*, 1885; also *Improvement Era*: Vol. VI, No. 1.

5. David R. Atchinson, who later was elected United States Senator from the state of Missouri, 1843-55. He was President *pro tempore* of the Senate for a time, and the *pro* slavery leader in the Kansas troubles of 1856-7.

liely that as a people they intended to defend their lands and homes. The next day the leaders of the mob began to prepare to inflict further violence upon them. Strict orders were circulated among the Saints not to be the aggressors, but to warn the mob not to come upon them. Court was to convene on Monday, the 28th of October, and it was expected that some of the leaders of the mob would be required to file bonds to keep the peace.

While these preparations were progressing among the Saints, the mob were not idle. They resorted to their old method of circulating false rumors about the "Mormons." The "blasphemy" of their doctrines; their intentions to take possession of Jackson county by force; the incompatibility between the "old settlers" and the "Mormons"—were all urged, and the conclusion reached that a war of extermination must be waged against the Saints in the name of self-preservation.

Saturday, the 26th, about fifty of the mob met in counsel and "voted to a hand to move the 'Mormons.'" Monday, the 28th, the circuit court convened, but very few people were in attendance. There was no mob there, but threats of the most violent character were made.

The remainder of the story is soon told. Though the circuit court was convened, and the majesty of the law of the state was appealed to, hostilities were begun by the mob on the night of October the 31st, and between that and the 7th of November there was a veritable reign of terror throughout the parts of Jackson county occupied by the Saints. Houses were unroofed and in many cases burned to the ground; household furniture destroyed, corn fields laid waste, women and children driven from their homes, men tied up and whipped, and even the sick assaulted. The people of whole settlements were herded together and driven before the mob. One company of one hundred and ninety,—all women and children, except three decrepit old men—were driven thirty miles across a burnt prairie. The ground was thinly crusted with sleet, and the trail of these exiles was easily followed by the blood which flowed from their lacerated feet.⁶ This company and others who joined them, erected some log cabins for temporary shelter, and not knowing

6. Documentary History of the Church, Vol. III, p. 437, *et seq.*

the limits of Jackson county, built them within its borders. Subsequently, in the month of January, 1834, parties of the mob again drove these people, and burned their wretched cabins, leaving them to wander without shelter in the most severe winter months. A number of them were taken suddenly ill and died.

Another pathetic incident is related by Newel Knight:

“I must not omit to mention one act of cruelty, which, if possible, seems to surpass all others. In one of the settlements were four families of very old men, infirm and very poor. They seemed to think that they would not be molested and so remained behind, but no sooner did the mob learn of it, than they went to their houses, broke their windows and doors, and hurled great stones into their rooms endangering their lives; thus were these poor old men, and their families, driven before the ruthless mob in mid-winter. These men had served in the Revolutionary war, and Brother Jones [one of the four] had been one of General Washington’s body guard, but this availed them nothing, for they were of the hated people. Thus were all the Saints compelled to flee into Clay county, where the sympathies of the people were extended towards them.”⁷

Of course all this did not take place without some resistance on the part of the Saints. They gathered wherever they could for mutual protection, and went to each other’s assistance whenever they heard of their brethren being overwhelmed by numbers. One circumstance which embarrassed the Saints not a little in their movements against the mob was the fact that they were divided as to what action it would be proper for them to take in the premises. Parley P. Pratt in his “Persecutions of the Saints,”⁸ says that the Saints, “having passed through the most aggravating insults and injuries without making the least resistance, a general inquiry prevailed at that time throughout the Church as to the propriety of self-defense. Some claimed the right of defending themselves and their families from destruction, while others doubted the propriety of self-defense.” Under these conditions it can be readily understood that the defense of the Saints was not so effective against their enemies as it might have been had they been perfectly agreed as to the extent to

7. Journal of Newel Knight in “Scraps of Biography,” p. 84.

8. Page 31.

which they would be justified in defending themselves and their families against the violence of the mob.

In the midst of the excitement and apparently general uprising in the county, on the 5th of November, at the instigation of Lieutenant Governor Lilburn W. Boggs, it is said,⁹ the militia was called out. The command was given to Col. Thomas Pitcher, deputy constable of the county, and one of the most active leaders of the mob. The only difference between the militia and the mob was that in the latter capacity they were prepared to adopt more effective means for driving the Saints from their homes than when acting as a mob. Colonel Pitcher as commander of the militia refused to grant peace to the Saints unless they would consent to surrender their arms and deliver up certain men who had been engaged in one of the many conflicts of the previous day in which two of the mob had been killed,¹⁰ and one of the Saints—a brother Andrew Barber—mortally wounded, and several others wounded on both sides. The brethren refused to give up their arms unless Col. Pitcher and other militia leaders would also agree to disarm the mob. This was readily assented to by Col. Pitcher, pledging his honor with that of Lieutenant Governor Boggs, Samuel C. Owen, the county clerk, and others to carry out the promise. Whereupon the brethren laid down their arms—forty-nine guns and one pistol; they also surrendered the parties engaged in the battle of the previous day to be tried for murder.¹¹

The agreement made by Col. Pitcher to disarm the mob was never executed; but as soon as the brethren surrendered their arms, bands of armed men raided the settlements of the Saints, and this continued until, in all, more than twelve hundred members of the Church, men, women and children were driven from their homes, their houses to the number of two hundred and three were burned, also a number of stacks of hay and grain; and one grist-mill was also destroyed.

The exiles generally moved northward and bivouacked in the

9. Documentary History of the Church, Vol. I, p. 433.

10. The names of these two men were Hugh L. Brazeal and Thomas Linville. Both had been active leaders in the mob movements.

11. This on the affidavit of Lyman Wight. Documentary History of the Church, Vol. III, p. 438.

Missouri bottoms at the ferries that led into Clay county, where many of them were hospitably received. The final scenes of this expulsion are vividly drawn by Elder Parley P. Pratt who participated in them:

“The shore of the Missouri began to be lined on both sides of the ferry with men, women and children; goods, wagons, boxes, provisions, etc., while the ferry was constantly employed; and when night again closed upon us the cottonwood bottom had much the appearance of a camp meeting. Hundreds of people were seen in every direction, some in tents and some in the open air around their fires, while the rain descended in torrents. Husbands were inquiring for their wives, wives for their husbands; parents for children, and children for parents. Some had the good fortune to escape with their families, household goods, and some provisions; while others knew not the fate of their friends, and had lost all their goods. The scene was indescribable, and, I am sure, would have melted the hearts of any people on the earth, except our blind oppressors, and a blind and ignorant community.”¹²

While the greater number of the exiles were still bivouacked in the Missouri bottoms, on the night of the 13th of November, occurred the notable meteoric showers of that year, usually called the “falling of the stars.” Parley P. Pratt thus describes it:

“About two o’clock (on the morning of the 13th) we were called by the cry of signs in the heavens. We arose, and to our great astonishment all the firmament seemed enveloped in splendid fireworks, as if every star in the broad expanse had been hurled from its course, and sent lawless through the wilds of ether. Thousands of bright meteors were shooting through space in every direction, with long trains of light following in their course. This lasted for several hours, and was only closed by the dawn of the rising sun.”

There was, of course, no connection between the annual mete-

12. Autobiography, pp. 109, 110.

13. Mr. Alexander H. Stephens in his History of the United States, says: “During the fall of 1833 occurred a natural phenomenon of a most wonderful character. This was on the night of the 13th of November. It was what was known as the “meteoric shower,” or the “falling of the stars.” It was witnessed with amazement and astonishment throughout the entire limits of the United States.

Gillett and Rolf in their “Astronomy,” say: “The display of 1833 (meteors) was remarkably brilliant in this country and caused great consternation among the ignorant and superstitious. P. 313.

oric shower—though unusually brilliant that year—and the calamities which had befallen the Saints; but surely it ought not to be thought strange if some of the Saints—the most of them in fact—regarded the phenomenon as in some way connected with their suffering, and a sign of judgment to come upon the ungodly who had wrought the injustice against them and caused their calamities.

CHAPTER XXV

AN ATTEMPTED VINDICATION OF THE LAW

The Saints, exiled from their homes in Jackson county, found a temporary resting place in Clay county; though some of them were scattered through Ray, Lafayette, and Van Buren counties. Those, however, who settled in Van Buren were again driven away. The people in Clay county, as a rule, were kind to the exiles thrown so unceremoniously upon their hospitality. They were permitted to occupy every vacant cabin, and build others for temporary shelter. Some of the sisters obtained positions as domestics in the households of well-to-do-farmers, while others taught school. For their acts of kindness the people of Clay county were well repaid in labor performed by the brethren, who were by no means of the class to receive a gratuity when it was within their power in any way to give its equivalent.

The brethren were perplexed most of all as to what course to pursue. Their return to the lands from which they had been driven looked at least unlikely. They knew not whether it would be best to lease or buy lands in Clay county; whether to prepare for permanent or only temporary residence in that land. In the midst of this uncertainty, a conference was convened on the 1st of January, 1834, at the house of P. P. Pratt, at which it was—

Resolved, That Lyman Wight and Parley P. Pratt be sent as special messengers to represent the situation of the scattered brethren in Missouri, to the Presidency of the Church, in Kirtland, and ask their advice.

Accordingly these brethren started to perform this mission, leaving their families in a penniless condition, while they themselves faced the winds and snows of winter in the interests of their afflicted co-religionists.

By following the suggestion of Governor Dunklin in relation to putting the laws to the test in Jackson county, the Saints had in a special way put themselves under the protection of Governor Dunklin,¹ and it was doubtless a consciousness of this that led the Governor to take the several steps in what at first looked like an earnest effort at vindication of the law. At any rate as soon as the news of the expulsion of the Saints reached the ears of the state officers, they were anxious to reinstate them in their possessions. R. W. Wells, the attorney-general of Missouri, wrote the lawyers employed by the Church to the effect that if the "Mormons" desired to be returned to their homes in Jackson county, an adequate force of the state militia would be sent forthwith to accomplish this object, the militia having been ordered to hold themselves in readiness for that purpose. He also promised that if the "Mormons" would organize themselves into a company of militia, they should be supplied with arms by the state. He also suggested that "as only a certain quantity of public arms can be distributed in each county, those who first apply will be most likely to receive them." This letter was written after a conversation between the governor and the attorney-general; and by that conversation the attorney-general believed that he was warranted in making these suggestions to the "Mormons," and one would be justified in regarding the foregoing as the sentiments of the governor, as well as of the attorney-general.²

John F. Ryland, the circuit judge for the district of which Jackson county was a part, wrote to Amos Reese, circuit attorney for the same district, and also counsel for the Church, saying that he had been requested by the governor to inform him "about the outrageous acts of unparalleled violence that had lately happened in Jackson county;" and had been requested by him to examine

1. Ante Chapter XXIII. The Governor's letter of advice to the Saints is found at length in Documentory Hist. of the Church, Vol. I, 423-4.

2. Attorney General Wells letter is published in *extenso* in Documentory History of the Church. Vol. I, pp. 444-5.

into these outrages, and to "take steps to punish the guilty and screen the innocent." Judge Ryland, however, could not proceed without some person was willing to give the proper information before him. He asked the circuit attorney to find out from the "Mormons" if they were willing to take legal steps against the citizens of Jackson county; and if they desired to be reinstated in their possessions. If so, he was willing to adopt measures looking toward the accomplishment of this object, saying that the military force would repair to Jackson county, and execute any order he might make respecting the subject. "It is a disgrace to the state," said he, "for such acts to happen within its limits, and the disgrace will attach to our official characters, if we neglect to take proper means to ensure the punishment due such offenders."³

The order for an immediate court of inquiry had been prepared by the governor, but he waited to hear from the Saints, as to whether or not they desired to be reinstated in their homes. The leading elders of the Church, learning through their attorneys of the steps taken to hold an immediate court of inquiry, at once wrote the governor, asking him not to hold an immediate court of inquiry, as at that time many of those persons whom they would want as witnesses were scattered through several of the surrounding counties, and could not be notified in time to be in attendance. Besides this they urged that many of their principal witnesses would be women and children, and so long as the rage of the mob continued unabated, it would be unsafe to take these witnesses to Independence. "An immediate court of inquiry," wrote A. S. Gilbert, "called while our people are thus situated, would give our enemies a decided advantage in the point of testimony." He asked his excellency therefore, in behalf of the Church, to postpone the court of inquiry until the Saints were restored in their homes, and had an equal chance with their enemies in producing testimony before the court.

Amos Reese, the circuit attorney, and one of the counsel for the Church, concurred in these very reasonable requests; and said further: "I think that at the next term of the court, an examina-

3. Judge Ryland's letter is given in *extenso* in Documentary History of the Church, Vol. I, pp. 445-6.

tion of the criminal matter cannot be gone into without a guard for the court and witnesses.”⁴

A petition to the governor, which set forth the outrages committed against the Saints by the Jackson county mob, as already related in these pages, had been sent to the governor, asking him to restore them to their possessions, and protect them when restored by the militia of the state, if legal, or by a detachment of the United States troops. The petition suggested that doubtless the latter arrangement could be effected by the governor conferring with the President of the United States on the subject. They also asked that their men be organized into companies of “Jackson Guards,” and furnished with arms by the state, that they might assist in maintaining their rights. “And then,” said they, “when arrangements are made to protect us in our persons and property (which cannot be done without an armed force, nor would it be prudent to risk our lives there without guards till we receive strength from our friends to protect ourselves), we wish a court of inquiry instituted, to investigate the whole matter of the mob against the ‘Mormons.’”

To the Petition of the leaders of the Church Governor Dunklin replied on the 4th of February, 1834; and said the request to be restored to their homes and lands needed no evidence to support the right to have it granted. In relation to the brethren organizing into military companies, the governor said: “Should your men organize according to law—which they have a right to do, indeed it is their duty to do so, unless exempted by religious scruples—and apply for public arms, the executive could not distinguish between their right to have them, and the right of every other description of people similarly situated.”⁵

All the answers of the governor to the petitions of the exiled Saints, so far, were good, and manifested a desire to administer even-handed justice. But when he comes to consider their request to be protected in their possessions, as well as reinstated in them, his reply was not so favorable. “As to the request,” said he, “for keeping up a military force to protect your people,

4. Communication of Messrs. Gilbert and Reese given at length. Documentary Hist. of the Church, Vol. I, pp. 446-8.

5. The Petition of the Saints will be found at length in the Documentary Hist. of the Church, Vol. I, pp. 451-2.

and prevent the commission of crimes and injuries, were I to comply it would transcend the power with which the executive of this state is clothed."

Still, the laws of the state empowered the "commander-in-chief, in case of actual or threatened invasion, insurrection, or war, or public danger, *or other emergency*, to call forth into actual service such portion of the militia as he may deem expedient." This clause, however, the governor construed as follows:

"The words, 'or other emergency,' in our militia law, seem quite broad; but the emergency to come within the object of that provision, should be of a public nature. Your case is certainly a very emergent one, and the consequences as important to your society as if the war had been waged against the whole state, yet the public has no other interest in it than that the laws be faithfully executed."

The sequel will show how faithfully the laws were executed, and how the public stood by, indifferent spectators, while an unoffending people were robbed of their possessions, and the laws of the state set at defiance by insolent mobs. The governor closed his answer to the petition of the exiles by saying that as then advised it would be necessary to have a military guard for the court and state witnesses, while sitting in Jackson county; and he sent an order to the captain of the Liberty Blues to comply with the requisition of the circuit attorney, in protecting the court and executing its orders during the progress of the trials arising out of the Jackson county difficulties; and said the "Mormons" could if they felt so disposed, return under the protection of this guard to their homes, and be protected in them during the progress of the trials.

It required no great wisdom, however, to foresee that for the Saints to return to their homes, and then be left there without protection—would not be far removed from community suicide, as the mob greatly outnumbered the Saints. To return under these circumstances would only be laying the foundation for a greater tragedy than the one already enacted; and the brethren wisely concluded not to attempt to regain possession of their homes, until some measure was adopted to protect them when there.

At the February term of the circuit court, which convened at Independence, about twelve of the leading elders were subpoenaed as witnesses on the part of the state, against certain citizens of Jackson county for their acts of mob violence against the "Mormons." On the twenty-third of the month these witnesses crossed the Missouri into Jackson county, under the protection of the Liberty Blues, Captain Atchison commanding. The company numbered about fifty, and were all well armed with United States muskets. The company and witnesses commenced crossing the river about noon, but it was nearly night before the baggage wagon was taken across. While waiting for the arrival of the wagon, it was decided to camp in the woods, and not go to Independence until the next morning. Half the company and a number of the witnesses went about half a mile towards Independence and built fires for the night. While engaged in these duties the quartermaster and others, who had gone ahead to prepare quarters in town for the company—evidently alarmed at the bold front of the mob, and believing that the guard of fifty militiamen which had been called out to protect the court and the witnesses would not be a sufficient force—sent an express back, which was continued by Captain Atchison to Colonel Allen, for the two hundred drafted militia under his command: and also sent to Liberty for more ammunition.

Next morning the witnesses were marched to Independence under a strong guard and quartered in the block-house—formerly the Flourney Hotel. The attorney-general of the state, Mr. Wells, had been sent down by the governor to assist the circuit attorney, Mr. Reese, "to investigate as far as possible, the Jackson outrage." These gentlemen waited upon the witnesses in their quarters, and gave them to understand that all hope of criminal procedure against the mob was at an end. Which act on the part of the officers of the court and of the state admits of but one explanation—the civil authorities were awed into inaction by the boldness, and threats of the mob; and contributing to this end was the fact that the people who had been whipped, beaten and despoiled; whose houses were burned and who were driven from the lands they had purchased from the government, were the adherents of an unpopular religion, and hence the officers of the

state weakly submitted to the boldness of the mob and failed to uphold the majesty of the law.⁵

A few minutes after the information had been given the witnesses that all hope of criminal procedure was at an end, Captain Atchison informed them that he had received an order from Judge Ryland that the services of his company were no longer needed in Jackson county. The witnesses for the state decided to retire with the militia company and were marched out of town to the tune of "Yankee Doodle"—quick time.

Thus ended the attempt of the state authorities to "execute the law"—in which execution the "public," according to the governor, "was interested, but no further interested in this outrage." But, "so far as a faithful execution of the law is concerned," he presumed, "the whole community felt a deep interest; for that which is the case of the 'Mormons' to-day, may be the case of the Catholics to-morrow, and after them, any other sect that may become obnoxious to a majority of the people of any section of the state."

Thus ended the only effort that was ever made by the officers of Missouri to bring to justice these violaters of the law. One class of citizens had conspired against the liberties of another class, and being the stronger had, without the authority of law, or shadow of justification, driven twelve hundred of them from their possessions, and there was not virtue enough in the executive of the state and his associates to punish the offenders. The determination of the mob to resist the law was stronger than the determination of the state officers to execute it and make it honorable. And yet the constitution of the state made it the imperative duty of the executive to "take care that the laws are faithfully executed," and to this end empowered the commander-in-chief of the militia (the governor) "in case of * * * insurrection, or war, or public danger, or other emergency, to call forth into actual service such portion of the militia as he might deem expedient." With this power placed in his hands by the

5. W. W. Phelps in a letter to the *Evening and Morning Star*, which is the chief source of information concerning the incident here considered says: "Mr. Wells (the Attorney General of the State) had been sent by the Governor to investigate, as far as possible, the Jackson outrage, but the bold front of the mob, bound even unto death, (as I have heard) was not to be penetrated by civil law or awed by executive influence." (*Eve. & Mor. Star*, Vol. II, No. 18, p. 276).

laws of the state, Governor Dunklin permitted mobs to over-awe the court of inquiry he himself had ordered.

Equally weak did Governor Dunklin show himself to be in the matter of investigating the military course of Col. Pitcher in disarming the "Mormons," and leaving them at the mercy of the mob. An inquiry into this circumstance was begun at Liberty, Clay county, in the latter part of December, 1833. The inquiry resulted in the arrest and trial of Col. Pitcher before a court-martial; but the court did not convene until the 20th of February, 1834; and so remiss in the performance of his duty was General Thompson, who presided at the court-martial trial, that no report was made to the Governor until the first of May, and even then it had to be solicited by him.

From the facts brought out in that trial, the Governor decided that Colonel Pitcher had no right to dispossess the "Mormons" of their arms; and sent an order to S. D. Lucas, colonel of the thirty-third regiment, to deliver the arms taken from the "Mormons" on the 5th of December, 1833, to W. W. Phelps, John Correll, Edward Partridge, A. S. Gilbert, or their order. Lucas, in the meantime, however, had resigned his position, left Jackson county and settled in Lexington. Learning of this, the governor issued a second order for the arms, directing it this time to Colonel Pitcher. This letter was inclosed in a letter from the governor to W. W. Phelps, and sent to Colonel Pitcher on the tenth of July; but the arms were never returned. Indeed, between the issuing of the first and second orders of the governor for their restoration to their owners, the arms were distributed among the mob; and they insolently boasted that the arms should not be returned, notwithstanding the order of the Executive. The determination of the mob-leaders proved to be stronger than the authority of the Governor—the commander-in-chief of the militia of the state.

There was great distress throughout the Church in consequence of the calamities which had befallen the Saints in Missouri. The severity and cause of the persecution perplexed the Prophet. He inquired of God and after some time received for an answer a revelation of which the following is a passage:

"Verily I say unto you, concerning your brethren who have

been afflicted, and persecuted, and cast out from the land of their inheritance, I, the Lord, have suffered the affliction to come upon them, wherewith they have been afflicted, in consequence of their transgressions; Yet I will own them, and they shall be mine in that day when I shall come to make up my jewels. Therefore, they must needs be chastened and tried, even as Abraham, who was commanded to offer up his only son; for all those who will not endure chastening, but deny me, cannot be sanctified. Behold, I say unto you, there were jarrings, and contentions, and envyings, and strifes, and lustful and covetous desires among them; therefore by these things they polluted their inheritances. They were slow to hearken unto the voice of the Lord their God, therefore the Lord their God is slow to hearken unto their prayers, to answer them in the day of their trouble.”⁶

This answer, it will be observed, was in harmony with the warnings and prophecies which had preceded the Jackson county difficulties, and sent to the Church in Missouri under circumstances of utmost urgency; all which warnings and protestations, however, only resulted in bringing the Church in Missouri to a partial repentance.⁷ Seeing, then, that the calamities had befallen the Saints in Missouri because of their neglecting the counsels of God, the question may arise: Is the Jackson county mob to be held responsible for their lawless and brutal acts of violence? Most assuredly; for it is a case where “offences must needs come, but woe unto them by whom they come.”

In the revelation which gave the foregoing cause for the misfortunes which had overtaken the Saints, direction was given to the Elders and Saints of the Churches in the east to make preparations for an extensive purchase of lands in Jackson and surrounding counties; and still later a revelation⁸ was given directing that an effort be made to raise from one to five hundred men, to join their exiled brethren in Missouri, accept Governor Dunklin’s offer to reinstate them in their lands, buy out such of the “old settlers” as could not consent to live with them on terms of friendship, and maintain their inheritance, by force of numbers. This led to the organization of “Zion’s Camp.” The “Camp,” which gathered at Kirtland in the spring of 1834, when

6. Doc. & Cov. Sec. 101.

7. See *ante* chapter XXIII.

8. Doc. & Cov. Sec. 103.



THE HOUSE OF THE LORD AT KIRTLAND, OHIO

ready to start, numbered about one hundred and fifty. This number was increased to two hundred by the time the Camp arrived in Missouri.⁹ On the arrival of the Camp in the vicinity of Jackson county, negotiations were opened with Governor Dunklin asking him to fulfill his promise to call out the militia in sufficient numbers to reinstate the exiled Saints in their possessions. The governor admitted the justice of the demand, but expressed the fear that should he so proceed his action would excite civil war, and he dared not carry out what he admitted to be the plain duties of his office. He suggested that the delegation that waited upon him urge their brethren to sell their lands in Jackson county.¹⁰ This the Saints could not do without repudiating the revelations that designated Jackson county as the land of their inheritance, the place for the gathering together of God's people, and the location of the city of Zion; also it meant an abandonment of their right as citizens of the United States to settle wherever they thought proper to make their homes within the confines of the Union."

With the Governor unwilling to fulfill his engagements to the

9. The history of this attempt to "Redeem Zion," is given in detail in the Author's *Missouri Persecutions*, Chs. XVI-XXVI.

10. See Parley P. Pratt's *Autobiography* Ch. XV. Pratt and Orson Hyde were the Camp's delegation that waited upon the Governor.

11. This refusal of Governor Dunklin to reinstate the Saints on their lands in Jackson county was a severe blow to the hopes of Zion's Camp and the scattered Saints. From the time of their expulsion from Jackson county the Governor repeatedly said that the exiles had a right to be reinstated upon their lands, and had promised that he would call out the militia of the State to reinstate them whenever they were ready and willing to return. In his communication to *Messrs. W. W. Phelps, Morely, et al.*, under date of Feb. 4, 1834 (see *Documentary Hist. of the Ch.*, Vol. I, p. 476) he said in answer to their petition to be reinstated: "One of your requests needs no evidence to support the right to have it granted; it is that your people be put in possession of their homes, from which they had been expelled. But what may be the duty of the Executive after that, will depend upon contingencies." Even a few days before his interview with *Messrs. Hyde and Pratt*, in his letter to Colonel J. Thornton, under date of June 6th, he had said: "A more clear and indisputable right does not exist, than that of the Mormon people, who were expelled from their homes in Jackson county, to return and live on their lands and if they cannot be persuaded as a matter of policy to give up that right, or to qualify it, my course, as the chief executive officer of the state, is a plain one. The constitution of the United States declares, that the citizens of each state shall be entitled to all privileges and immunities of citizens in the several states. Then we cannot interdict any people, who have a political franchise in the United States, from immigrating to this state, nor from choosing what part of the state they will settle in, provided they do not trespass on the property or rights of others." The Governor's letter to Col. Thornton is given at length in *Documentary History of the Church*, Vol. II, p. 85-86. In the face of this and other utterances the position now assumed by Governor Dunklin was a manifestation of weakness truly lamentable.

exiled Saints by calling out the militia to reinstate them in their lands; with the inhabitants of western Missouri deeply prejudiced against them, and greatly excited by the arrival of "Zion's Camp;" and the brethren of the Camp, and the exiled brethren, painfully conscious that the Saints in the eastern branches of the Church had not responded with either sufficient money or men for them to act independently of the Governor, take possession of their lands, purchase other lands, and hold them despite the violence of mobs—the necessity of disbanding "Zion's Camp," and awaiting some future opportunity for the "redemption of Zion," was apparent to the minds of its leaders. Accordingly it was disbanded from its encampment on Rush Creek, in Clay county, on the 24th of June, and word to that effect was officially sent to some of the leading citizens of Clay county.

On the eve of disbandment cholera broke out among the members of the Camp and within four days thirteen of them died, also some of the Missouri brethren, among whom was Algernon S. Gilbert, the keeper of the "Lord's store-house."¹²

Before the disbandment of the Camp, and even before its

12. The New Dispensation has had few men more devoted to its interests, than Algernon Sidney Gilbert; and few men of keener intellect and larger capacity. He was a man of rare good sense, conservative and of sound judgment. All of which appears in the many communications drawn up in Missouri by him during the troublous times through which the Church passed in those days. Much of the correspondence between the Missouri brethren and Governor Dunklin was the work of Elder Gilbert, and it bears witness to the truth of what is here said of him. Something like prejudice existed against him among the early members of the Church, because he was once heard to say, when informed that he had been called to preach the gospel, that he "would rather die than go forth to preach the gospel to the Gentiles." His death occurring about this time led one of the prominent Elders to say—"The Lord took him at his word." Yet Elder Gilbert's remark did not arise out of any lack of faith in the truth of God's great Latter-day work, but from a native diffidence and lack of confidence in his ability to preach the gospel; and, of course, a dread of the hardness of heart and the unbelieving minds of those to whom he would be sent. The place and date of Elder Gilbert's birth cannot now be ascertained. His father's family resided in Huntington, Connecticut. Besides himself, there was a younger brother who joined the Church, but he died of cholera in St. Louis, Missouri, the same year that his elder brother died. Elder Gilbert for some years was a successful merchant in Painsville, Ohio; and subsequently, with Newel K. Whitney, he founded the successful mercantile firm of Gilbert and Whitney in Kirtland, Ohio, at which place the Gospel found him in the year 1830. Later, as we have seen in the text of our history, he was called to go to Missouri, and was appointed keeper of the Lord's storehouse, and upon him also devolved the responsibility of purchasing lands for the Saints. In the persecutions which came upon the people in Jackson county, he sacrificed all his goods, and was among the six who offered their own lives for the lives of their friends in the Jackson county trouble. (See *ante*). Such a character and such a career as that of Algernon Sidney Gilbert dignifies the cause to which he devoted the energies of his manhood, and is worthy of honorable mention in the pages of its history.

arrival in the immediate vicinity of Jackson county, several efforts were made both on the part of the exiled Saints and their friends and the "Old Settlers" of Jackson county to adjust their troubles in some peaceable manner. Through some influential gentleman of Clay county the "old settlers" suggested to Governor Dunklin the plan of dividing Jackson county, that the "old settlers" and the Saints could occupy separate territory, and confine themselves within their respective limits, with the exception of the public rights of ingress and egress upon the highway. Replying to this proposition the Governor said:

"My first advice would be to the 'Mormons' to sell out their lands in Jackson county, and to settle somewhere else, where they could live in peace, provided they could get a fair price for their lands, and reasonable damages for injuries received. If this failed, I would try the citizens, and advise them to meet and rescind their illegal resolves of last summer, and agree to conform to the laws in every particular, in respect to the 'Mormons.' "

Should success attend upon neither of these plans then he would favor the plan of dividing the county. "If all these fail," said the Governor in his letter to Colonel Thornton, "then the simple question of legal right would settle it. It is this last that I am afraid I shall have to conform my action to in the end."¹³ But when that issue was fairly presented to Governor Dunklin by the application of the exiles to be reinstated upon their lands on the arrival of their brethren from the east, he failed, as we have seen, in his strength to meet the issue, and allowed mob-violence and mob-fear to over-awe the majesty of the law.

In order to take our final leave of Governor Dunklin and his connection with these unhappy Missouri troubles, it is only necessary to say that subsequent to the matters above related, replying to an appeal made to him as executive of the state, calling attention to a renewal of interference with the Saints, Governor Dunklin took a still more cowardly attitude than the one just described; for he then became the apologist for public sentiment and its demands, regardless of whether or not that sentiment

13. The Governor's letter is published in *extenso* in the Documentary History of the Church, Vol. II, p. 84, *et seq.*

was based on truth or falsehood, for or against law—it still was the public sentiment, and as such was as the voice of God in the American Republic! In proof of which I submit *in extenso* his letter to the Saints on the occasion to which reference is here made:

City of Jefferson, July 18th, 1836.

Messrs. W. W. Phelps and Others:

Gentlemen:—The treatment your people have received, and are now receiving, is of extraordinary character, such as is seldom experienced in any country by any people. As an individual I sympathize with you, and as the executive of the state, deeply deplore such a state of things. Your appeal to the executive is a natural one, but a proper understanding of our institutions will show you that yours is a case not for the special cognizance of the executive. It is a case, or, I may say, they are cases of individual wrongs. These, as I have before told you, are subjects for judicial interference; and there are cases sometimes of individual outrage which may be so popular as to render the action of courts of justice nugatory, in endeavoring to afford a remedy. I would refer you to the charge of Judge Lawless, made to the grand jury of St. Louis. Public sentiment may become paramount law; and when one man or society of men become so obnoxious to that sentiment as to determine the people to be rid of him or them, it is useless to run counter to it.

The time was when the people (except those in Jackson county) were divided, and the major part in your favor; that does not now seem to be the case. Why is this so? Does your conduct merit such censures as exist against you? It is not necessary for me to give my opinion. Your neighbors accuse your people of holding illicit communication with the Indians, and of being opposed to slavery. You deny. Whether the charge or the denial is true I cannot tell. The fact exists and your neighbors seem to believe it true; and whether true or false, the consequences will be the same (if your opponents are not merely gasconading), unless you can, by your conduct and arguments, convince them of your innocence. If you cannot do this, all I can say to you is that in this Republic the *vox populi* is the *vox dei*.¹⁴

Yours respectfully,

DANIEL DUNKLIN.

Another attempt at peaceful settlement of the troubles existing between the “old settlers” and the Saints was made on the 10th

14. See note at the end of the chapter.

of June at Liberty county court-house, when a delegation from Jackson county and representatives of the exiled Saints met with some leading citizens of Clay county to consider propositions presented by the Jackson delegation, which were as follows:

First. The people of Jackson county will buy all the land the "Mormons" own in the county of Jackson, and also all the improvements which the "Mormons" had on any of the public lands as they existed before the first disturbance between the people of Jackson and the "Mormons," and for such improvements as they have made since. The valuation of the land and improvements shall be ascertained by three disinterested arbitrators, to be chosen and agreed upon by both parties; should the parties disagree in the choice of the arbitrators, then—is to choose them.

Twelve Mormons shall be permitted to go with the arbitrators to show them their lands and improvements while they are being valued; and any other "Mormons" may accompany the arbitrators whom they may desire in order to give them information; and the people of Jackson guarantee their entire safety while doing so.

When the arbitrators report the value of the land and improvements, the people of Jackson will pay to the "Mormons" the valuation, with one hundred per cent. added thereon, within thirty days thereafter; the Mormons are to agree not to make any effort ever after to settle, either collectively or individually, within the limits of Jackson county; and are to enter into bonds to insure the conveyance of their lands in Jackson county, according to these terms when the payment shall be made, and the committee will enter into a like bond, with such security as shall be sufficient, for the payment of the money according to this proposition. While the arbitrators are investigating and deciding upon the matters referred to them, the "Mormons" are not to attempt to enter into Jackson county, or to settle there, except such as by these propositions are permitted.

Second. The people of Jackson will sell all their lands and improvements on public lands in Jackson county to the "Mormons," the valuation to be obtained in the same manner, the same per cent. to be added, and thirty days allowed for payment as in our proposition to buy: the "Mormons" to give good security for the payment of the money, and this delegation will give security that the land will be conveyed to the "Mormons." All parties to remain as they are till the payment is made, at which time the people of Jackson will give possession.¹⁵

15. The document from which the above is condensed will be found in the Documentary History of the Church, Vol. II, p. 96, 97.

On these propositions several speeches were made by members of the Jackson delegation, not of a pacificatory character. The Rev. Mr. Riley, a Baptist Minister said that the "Mormons" had lived long enough in Clay county; "and they must either clear out, or be cleared out." To which Mr. Turnham the chairman of the meeting answered: "Let us be Republicans; let us honor our country, and not disgrace it like Jackson county. For God's sake don't disfranchise or drive away the 'Mormons' they are better citizens than many of the old inhabitants." A statement with which others in the meeting—there was almost one thousand present—agreed by exclamations of approval. The meeting adjourned in the midst of some confusion owing to a dirk fight between two Missourians, but not before the representatives of the exiled Saints promised to call a meeting of their people and lay before them the Jackson delegation's proposition; promising also to use their influence to prevent their brethren then coming to their assistance—"Zion's Camp"—from entering Jackson county until an answer had been made to the foregoing propositions.¹⁶

The same evening, when the Jackson delegation was crossing the Missouri on their return home, the ferry boat suddenly sank and seven out of the twelve on board were drowned.

At first glance it might seem that the proposition of the Jackson county people for the settlement of difficulties between the Saints and themselves was fair, since they offered to "buy or sell" upon the same terms. But to the buying proposition was attached such conditions that the Saints could not accept it since it required that they bind themselves never again to make any effort "to settle, either collectively or individually, within the limits of Jackson county." Such an agreement could not be made by the Saints without repudiating the revelations of God under the injunctions of which they had settled in Jackson county, and began preparations to build the city of Zion; and this the Jackson county people knew.

On the other hand, the proposition that the Saints buy out the "old settlers" of Jackson upon the terms proposed was equally

16. The answer in full is published in the Documentary History of the Church, Vol. II, p. 98, 99.

impossible. The "old settlers" owned so much more land than the Saints did, say thirty acres to one. The Saints were not wealthy to begin with; and now, after they had been driven from their homes, robbed of their goods, their cattle driven away, their houses, stables, and stacks of grain burned, they were asked to buy nearly the whole of Jackson county, for which they must pay double price, because they were to add one hundred per cent. to the appraised value—and make the payment in thirty days! One can scarcely believe the people of Jackson county were sincere in making either offer. They knew that both would have to be rejected, and of course were rejected.

The counter proposition formulated by representatives of the Saints, provided that twelve disinterested men be chosen, six by the exiles, six by the people of Jackson county, as arbitrators. These twelve men to say what the possessions of those men were worth that would not consent to live with the "Mormon" people, and they should receive the money for the same in one year from the time the treaty was made, none of the Saints to enter Jackson county to reside until the money was paid.

This same company of twelve men was to be empowered to say what the damage was which the "Mormons" sustained in being driven from their homes and in the destruction of their property, the said amount allowed for damages to be deducted from the amount paid for the lands of those who would not consent to live with the Saints.

The only reply received to this proposition was in a letter from S. C. Owens to Mr. Amos Reese, attorney for the Saints, which plainly said that the Jackson people would listen to nothing like the proposition made by the "Mormons;" and here the hopes of settling the Jackson county trouble by arbitration ended.¹⁶

NOTE 1: PROPERTY LOSSES BY THE SAINTS IN THE JACKSON COUNTY PERSECUTION: Of the extent of the property injuries inflicted upon the Saints in this Jackson county persecution I would add that according to a statement made in a petition to Congress for redress of their Jackson county grievances, it is represented that "The houses of the Mormons in the county of Jackson, amounting to about two hundred, were burned down or otherwise destroyed by the mob, as well as much of their crops, furniture, and stock. The damage done to the property of the Mormons

by the mob in the county of Jackson, as above related, as near as they can ascertain, would amount to the sum of \$175,000.00. The number of Mormons driven from the county of Jackson amounted to about twelve hundred souls.”—(*Millennial Star*, vol. 17, page 435). The above does not include the valuation of their lands of which they were dispossessed.

According to a statement made in an affidavit before the Municipal Court of Nauvoo, Parley P. Pratt also states that the number driven from the county was twelve hundred, and that two hundred and three houses were destroyed. Lyman Wight, in an affidavit before the same body also says of the mob, that “they burned two hundred and three houses and one grist mill, these being the only residences of the Saints in Jackson county.” (*See Documentary History of the Church, Vol. III, Appendix*).

NOTE 2: COMMENT ON GOVERNOR DUNKLIN’S ATTITUDE ON THE MORMON TROUBLES IN MISSOURI: It should be remembered that it was Governor Dunklin’s own proposition to call out the state militia in order to re-instate the Saints in their homes in Jackson county; but when they were finally ready to take that step he refused to perform what throughout he had recognized as his plain duty in the matter—*viz.* to restore by executive action the Saints to the homes from which ruthlessly and without the authority of the law they had been driven.

Later he assumed the position that their cases were individual cases, calling for judicial rather than executive cognizance; and ended by telling them that “public sentiment may become paramount law; and when one man or society of men become so obnoxious to that sentiment as to determine the people to be rid of him or them, it is useless to run counter to it.” Public sentiment was thus against the Latter-day Saints, they must convince their neighbors by their conduct and argument that they are innocent. “If you can not do this,” says the governor, “all I can say to you is that in this Republic the *vox populi* is the *vox dei*.”

What a mockery then is free, republican government! Under it none may hope to enjoy liberty but those who are willing to move with the tides of popular sentiment—streams oftener influenced by passion than by reason. How precarious is the hold of the inhabitants of such a government upon their liberties—depending upon the changing whims of the populace—the populace, which “to-day will weep a Cæsar slain; to-morrow vote a monument to Brutus!” Under such a government what is to become of reformers? Perhaps the fate of reformers of other ages, who have fallen victims to the hatred of popular sentiment will answer the question. What is to become of the weaker par-

ties if all are to be crushed or banished that popular sentiment condemns? For what are governments established if not to protect all, the weak as well as the strong, the despised as well as the favored, in the enjoyment of life, liberty, and the pursuit of happiness?

What do constitutions amount to if they are not recognized as conservators of liberty, by acting as restraints upon these rash acts of injustice, so frequently prompted by the frenzy of popular sentiment—a sentiment often manufactured by a misrepresentation of the principles and motives of those against whom the injustice is levelled? In popular governments constitutions are adopted for the express purpose of restraining the majority in the exercise of its power, and to guarantee the enjoyment of rights and liberties to the minority—to those out of favor with the popular sentiment of the hour. The tyranny of a majority is known and feared, and hence it is restrained by constitutional provisions, which thus become the bulwarks of freedom, by especially guarding the weak against the strong.

It may be held that in popular governments the constitutions and laws enacted in accordance therewith are but the expressions of popular sentiments. Grant it. But the popular sentiment as expressed in constitutions and laws is very different from that expressed by an excited populace, not unfrequently controlled by demagogues.

Popular sentiment is often created by intemperate speeches, and sustained by misrepresentation. More frequently than otherwise too, the so-called popular sentiment is but the sentiment of the active minority rather than of a majority of the people who may be merely indifferent to the question at issue. But the popular sentiment as expressed by laws and constitutions is adopted in legislative halls where right reason has a chance to assist in forming the sentiment; and where a decent respect for the long established maxims of justice and liberty will be taken into consideration, and will influence the legislature in forming the rules for the action of the people. When popular sentiment is expressed in constitutions and laws, and they are enforced, the citizens are, in a measure at least, secure from oppression and sudden destruction; but what guarantee have the people against injustice being done, if an inconsiderate, frenzied, popular sentiment is to be enforced—a sentiment that falsehood creates and that passion directs? None whatever. And should the citizens of the American Republic finally be persuaded to regard the prejudiced and excited voice of the populace as the voice of God—as Governor Dunklin of Missouri did in the case of the Latter-day Saints—they may as well prepare themselves to see free government perish from the earth.

CHAPTER XXVI

THE ORGANIZATION OF THE "TWELVE" AND THE "SEVENTY"—
DEDICATION OF THE KIRTLAND TEMPLE

After the disbandment of Zion's Camp the Prophet proceeded to organize the Saints in western Missouri—chiefly located in Clay county—into a "Stake of Zion,"¹ by the organization of a "High Council" and a Stake Presidency. David Whitmer was chosen President and W. W. Phelps and John Whitmer were selected for his counselors. The high council consists of twelve High Priests, and with the Presidency of the Stake constitute an ecclesiastical court of both original and appellate jurisdiction, but primarily it was organized for settling important difficulties which could not be settled in the Bishop's council to the satisfaction of the contesting parties.² The first High Council of the Church had been organized at Kirtland, of which the Presidency of the Church were acting as Presidents.³

This work accomplished, the Prophet and the most of those who had come with him in Zion's Camp returned to Kirtland, which for several years will be the center of activity.

The press which the Church had established in Jackson county in 1831, the mob in December, 1833, permitted the firm of Davis & Kelley, of Clay county, to take over to Liberty where they began the publication of the *Missouri Enquirer*: and in payment for the press said firm of Davis & Kelley turned over to the attorneys employed by the Saints three hundred dollars on the one thousand dollar conjoint note the brethren of Jackson county had given to Messrs. Woods, Reese, Doniphan and Atchison, their attorneys. Not much to pay for a press which, with the book-bindery eighteen months before had cost between four and five thousand dollars.

Another press, however, was promptly procured by the Church and set up at Kirtland where, in December, 1833, was resumed the publication of the *Evening and Morning Star*. It was changed, however, from quarto to octavo form, and in time all

1. Ante Chapter XXII. Note 10.

2. Doctrine & Covenants, Sec. 102:2.

3. *Ibid*, Sec. 102. The High Council will be considered more in detail when treating of the organization of the Church.

the previous numbers were reprinted. Also the publication of the revelations given in the New Dispensation which had been interrupted by destruction of the printing office at Independence was resumed; but the title of the collection was changed from "The Book of Commandments"⁴ to "The Book of Doctrine and Covenants." It issued from the press in August, 1835; and in all subsequent editions—of which there are many—the title has been retained.

The journey of "Zion's Camp" to Missouri, since it failed of its purpose to reinstate the Saints in possession of their lands in Jackson county, is regarded by some as being an unprofitable, and an unmeaning episode. It was far from that. Undoubtedly the most important thing in life is experience, and every experience has a value. It was so with this expedition of Zion's Camp. A brother in Kirtland—one too weak in the faith to go with Zion's Camp—meeting Brigham Young on his return from Missouri, said to him—"well, what did you you gain on this useless journey to Missouri with Joseph Smith?" "All we went for," promptly replied Brigham Young. "I would not exchange the experience I gained in that expedition for all the wealth of Geauga county"⁵—the county in which Kirtland was then located.⁶ Certainly in that Camp's journey of more than a thousand miles there were experiences enough. There were dissensions and rebellions within the Camp; there were threatening portents and hostile demonstrations from without. There were fatigues to endure, hardships to encounter, disappointments to sustain. All these experiences became serviceable to a large number of the two hundred men who participated in them; for of that company more than a score became the leaders—captains and lieutenants⁷—in two great exoduses: the first, but four years

4. One hundred and sixty pages—ten forms—of a three thousand edition of the "Book of Commandments" had been printed at Independence when the printing office was destroyed. These forms were scattered about the streets and otherwise destroyed, except a few copies saved by individuals, one of which is now on file in the Historian's Office at Salt Lake City.

5. *Improvement Era* "Brigham Young, a Character Sketch," June 1903

6. Now in Lake county.

7. Among them were Brigham Young, Heber C. Kimball, Wilford Woodruff, Parley P. Pratt, Orson Pratt, Charles C. Rich, Orson Hyde, Jedediah M. Grant, Amasa M. Lyman, and many others prominent in conducting the exodus from Illinois to the Rocky mountain valleys and in pioneering Utah and the surrounding states.

in the future, involving the removal of twelve thousand people from the state of Missouri to Illinois; and the other, twelve years in the future, the great western exodus of more than twenty thousand Latter-day Saints from Illinois to the Salt Lake and other Rocky Mountain valleys. Viewed, then, in the light of a preparatory training for the larger enterprises awaiting these men, the Zion's Camp movement was of immense value to the Church.

In another way also this Zion's Camp episode was turned to good account. In February, 1835, a meeting was called of all those brethren who had accompanied the Prophet to Missouri in the Camp, and it was announced that from their numbers would be chosen the quorum of the Twelve Apostles and their assistants in the work of the foreign ministry of the Church, the Seventies.

As early as June, 1829, it was made known that there would be Twelve Apostles chosen in the New Dispensation;⁸ and they were to be chosen by the Three Special Witnesses to the Book of Mormon.⁹ The Twelve Apostles are called to be the special witnesses of the name of the Christ in all the world, thus differing from other officers of the Church in the duties of their calling. They constitute also a traveling presiding high council, and officiate in the name of the Lord, under the direction of the Presidency of the Church, to build up the Church and regulate all the affairs of the same in all nations. They hold the keys of the foreign ministry of the Church and are to open the door for the proclamation of the gospel to all nations.¹⁰ To assist the Twelve Special Witnesses, quorums of Seventies were to be appointed whose calling is apostolic in its character, for they are to be especial witnesses of the Christ in all the world, and are to act in the name of the Lord under the direction of the Twelve "in building up the Church and regulating all the affairs of the same in all nations."¹¹ The quorum of the Twelve are declared to be "equal in authority and power" to the Presidency of the Church; and the first

8. Doctrine and Covenants, Sec. XVIII.

9. See Documentary History of the Church, Vol. II, Chapter XIII and footnotes.

10. Doctrine and Covenants, Sec. 107: 25, 34.

11. Doctrine and Covenants, Sec. 107: 23-30, also revelation on the organization of the Seventy received by President John Taylor April 13th, 1883, published in the Seventy's Course in Theology, First Year Book, pp. 9, 10.

quorum of the Seventy form a quorum "equal in authority to the quorum of the Twelve Apostles."

Such were the new quorums of priesthood to be organized; and the Prophet explained to the meeting of the members of Zion's Camp that the trials and sufferings endured on that journey were not in vain, for it was the will of God "that those who went to Zion with a determination to lay down their lives, if necessary, should be ordained to the ministry, and go forth to prune the vineyard for the last time."¹²

The Three Witnesses according to a former commandment, proceeded to make choice of the Twelve. Their names are as follows:

*Lyman E. Johnson,
Brigham Young,
Heber C. Kimball,
Orson Hyde,
David W. Patten,
Luke S. Johnson,*

*William E. M'Lellin,
John F. Boynton,
Orson Pratt,
William Smith,
Thomas B. Marsh,
Parley P. Pratt.¹³*

Two weeks later the first quorum of the Seventy was organized, its membership also being selected from the members of Zion's

12. Documentary History of the Church, Vol. II, p. 182.

13. Much interest has been manifested in the Church concerning who was mouth in ordaining respectively the brethren of the first Twelve. Most likely the Three Witnesses who ordained the Apostles were mouth in the order in which they have always stood as Witnesses, viz., Oliver Cowdery first, David Whitmer second, and Martin Harris third. If they officiated in this order then Oliver Cowdery ordained Lyman E. Johnson; David Whitmer, Brigham Young; and Martin Harris, Heber C. Kimball. It has been suggested by some that the Prophet Joseph may have joined the Three Witnesses in ordaining the Twelve, and in that event would be mouth first, and therefore ordained Lyman E. Johnson, leaving Oliver Cowdery to ordain Brigham Young, David Whitmer, Heber C. Kimball. This, however, is not likely since but three of those who had been chosen were called up in a group at the above meeting to be ordained, one for each Witness. Besides, the express language of the minutes of the proceedings is, "The Three Witnesses laid their hands upon each ones head and prayed separately;" that is each ordained his man. The statement of Heber C. Kimball in the published extracts of his journal, also confirms this view of the matter. After giving the names of the Twelve men chosen he says: "After having expressed our feelings on this occasion, we were severally called into the stand, and there received our ordinations, under the hands of Oliver Cowdery, David Whitmer, and Martin Harris. These brethren ordained us to the Apostleship, and predicted many things which would come to pass. He also adds the following interesting item with reference to the ordinations of that day: "After we (referring to the first three called up to receive ordination) had been thus ordained by these brethren, the First Presidency laid their hands on us, and confirmed these blessings and ordinations, and likewise predicted many things which should come to pass." (*Times and Seasons*, Vol. VI, p. 868).

Camp. When these organizations were completed the Prophet remarked:

"Brethren, some of you are angry with me, because you did not fight in Missouri; but let me tell you, God did not want you to fight. He could not organize his kingdom with twelve men to open the gospel door to the nations of the earth, and with seventy men under their direction to follow in their tracks, unless he took them from a body of men who had offered their lives, and who had made as great a sacrifice as did Abraham. Now the Lord has got his Twelve and his Seventy, and there will be other quorums of Seventies called, who will make the sacrifice, and those who have not made their sacrifices and their offerings now, will make them hereafter."¹⁴

Meantime the temple, began in the summer of 1833, was completed and dedicated in March, 1836, with imposing ceremonies which extended through several days. A number of visions and revelations were received: The Savior appeared and proclaimed his acceptance of the Temple and of the Saints as his people;¹⁵ Moses appeared and restored the keys of the gathering of Israel; Elias appeared and committed the dispensation of the gospel of Abraham; Elijah came in fulfillment of the words of Malachi "to turn the hearts of the fathers to the children, and the hearts of the children to their fathers," preparatory to the coming of the great and dreadful day of the Lord.¹⁶

From this visitation of Malachi's comes the doctrine of vicarious work for the dead, by which the principles and ordinances of the gospel are applied to the dead: "For, for this cause was the gospel preached also to them that are dead, that they might be judged according to men in the flesh, but live according to God in the Spirit."¹⁷

The dedication of the Temple was a notable occasion, as making for the spiritual development of the Saints, and the reported visions and other spiritual manifestations therein created a sensation throughout northern Ohio.¹⁸

14. Documentary History of the Church, Vol. II, p. 182, note. There are now (1910) one hundred and fifty-six quorums of Seventy organized.

15. This was in fulfillment of the promise referred to in the correspondence of the Prophet with the brethren in Zion, *ante*, Ch. XXIII.

16. See Malachi iv: 5, 6. The visions mentioned in the text are published in the Doctrine and Covenants, Sec. 110.

17. I Peter iv: 6.

18. Documentary History of the Church, Vol. II, Chapter XXIX and XXX.

The Temple facing the east occupies a site that commands a noble view of the surrounding country. Its outside measurements are sixty by eighty feet; to the square is fifty feet; to the top of the tower one hundred and ten feet. The ground floor hall was designed for the ordinary public meetings of the Church, for Sunday worship, prayer and sacramental meetings; the hall on the second floor was the meeting place of the "School of the Prophets," and in the attic are five class rooms; in the front of the building are four vestibule rooms, two on each main floor. The building is of stone covered with a fine quality of stucco which is still in a good state of preservation. The building cost \$40,000; and when the conditions under which it was built are taken into account, the Saints, few in number and generally poor, it stands as a monument of faith in God and devotion to His revealed purposes that is not equaled elsewhere in all our land.¹⁹

NOTE: WILLIAM WINE PHELPS: A biographical note of Elder Phelps, will be found in chapter XIX of this work, and with this chapter we publish an excellent engraving of him, though the photograph from which the engraving is made was taken in the later years of his life. As may be learned from the text of this history he was placed in charge of the publishing house of the Church in Zion, Independence, Missouri, was prominent in all the Jackson county troubles, and made one of the Presidency of the Stake Clay county when it became apparent that the exiled Saints could not return to their homes in Jackson county. In the biographical sketch above referred to, it is stated that he was a writer of considerable ability and that a number of hymns, the most characteristic of "Mormon" thought stand to his credit. He was especially prolific of hymns about the time of the dedication of the Kirtland Temple, and four composed

19. "The building of this structure by a few hundred persons, who, during the period between 1832 and 1836, contributed voluntarily of their money, material, or labor, the women knitting and spinning and making garments for the men who worked on the temple, was regarded with wonder throughout all northern Ohio." (Bancroft's History of Utah, p. 112).

"From the day the ground was broken for laying the foundation for the temple, until its dedication on the 27th of March, 1836, the work was vigorously prosecuted. With very little capital except brain, bone and sinew, combined with unwavering trust in God, men, women, and even children, worked with their might; while the brethren labored in their departments, the sisters were actively engaged in boarding and clothing workmen not otherwise provided for—all living as abstemiously as possible so that every cent might be appropriated to the grand object, while their energies were stimulated by the prospect of participating in the blessing of a house built by the direction of the Most High and accepted by him." "Women of Mormondom." (Tullidge) p. 82.

by him were sung in the dedicatory services. The following perhaps is the most spirited, and is still frequently sung in the general Conferences and other gatherings of the Church.

HOSANNA HYMN

The Spirit of God like a fire is burning!
The latter-day glory begins to come forth;
The visions and blessings of old are returning,
The angles are coming to visit the earth.

CHORUS

We'll sing and we'll shout with the armies of heaven—
Hosanna, hosanna, to God and the Lamb!
Let glory to them in the highest be given,
Henceforth and forever: amen and amen.

The Lord is extending the Saint's understanding,
Restoring their judges and all as at first;
The knowledge and power of God are expanding;
The veil o'er the earth is beginning to burst.

We'll sing and we'll shout, etc.

We'll call in our solemn assemblies in spirit,
To spread forth the kingdom of heaven abroad,
That we through our faith may begin to inherit
The visions and blessings and glories of God.

We'll sing and we'll shout, etc.

We'll wash and be washed, and with oil be anointed,
Withal not omitting the washing of feet;
For he that receiveth his penny appointed
Must surely be clean at the harvest of wheat.

We'll sing and we'll shout, etc.

Old Israel, that fled from the world for his freedom,
Must come with the cloud and the pillar amain;
A Moses and Aaron and Joshua lead him,
And feed him on manna from heaven again.

We'll sing and we'll shout, etc.

How blessed the day when the lamb and the lion
Shall lie down together without any ire,
And Ephriam be crowned with his blessing in Zion,
As Jesus descends with His chariots of fire!

We'll sing and we'll shout with the armies of heaven—
Hosanna, hosanna, to God and the Lamb!
Let glory to them in the highest be given,
Henceforth and forever: amen and amen!

(To be Continued.)

HERALDIC CONSIDERATION

NATIONAL SYMBOLIZATION

BY THE VISCOUNT DE FRONSAC

IF one regards any book on Heraldry in the English language, one will see that all the terms used are derived from the old French. There is *vert* for green; *gules* for red; *sable* for black; *pourpre* for purple. Turning to the best French authors on Heraldry for a definition to start with and one of them, Bouton, in his "*Traité des Armoiries*" says that the "Heraldic Art is the Art of Blasonry," that "the Art of Blasonry is the art of explaining armories" (called in English, coats-of-arms); that "armories are marks of honor, fixed and determined, composed of figures and colors which serve to indicate nobility and to distinguish the families and individuals who bear them." The word "armory" is used because the figures were engraved or printed on the arms and banners of those who bore them, and the word "blasonry" is derived from the old frankish word "blason"—to sound the trumpet, because the herald, in the ancient days, proclaimed by sound of trumpet the description of the nobles and knights in arms who paraded in the tourney, or in the lists before the Royal Court.

Now it is easy enough to see, by this definition, in which all writers agree from Père Menestrier down to modern Burke, de Brett, Fox-Davies and Boutelle in England, that national emblems are *not* Heraldry, since national emblems existed before Heraldry was known. It is also certain that *all* Heraldry is symbolization, but that *all* symbolization is not Heraldry. Many of the early heraldic chronicles and genealogists of the Middle Ages were clerics, and they with priestly zeal went so far as to attribute blasonry to the Arch-angels and to the Mother of God; to the Three Kings of the East; to the Tribes of Israel, and to trace in a fabulous way, the Kings of the Aryan nations of

Goths and Franks back to the Semetic nation of the East and even to the mythological Adam—an absurdity from an anthropologic understanding;—as great as the attempt would be to trace the lineage of the lion to the hedge-hog, or of that of the eagle to the buzzard. For the Aryan Race is discovered to have been more distinct from the Semetic and other non-Aryan races in ancient times, by structural remains from pre-historic periods, than at the present day; because the modern descendants of the Aryans are less pure, more mixed with these non-Aryan products and therefore near the elements of their modern composition.

Taking the previous definition of Heraldry to be a comprehension of the symbols connoting race-distinction and tracing back, it is discovered that the definition cannot be applied to any system of symbolization before the time of the Frankish conquest and domination in Central and Southern Europe, commencing with the invasion of the Roman Empire in the III Century by Clovis to the time of the coronation of Charlemagne in the year 800.

Family glory and nobility and race-distinction were not marked by Heraldry under the Egyptians, Persians, Greeks and Romans. Among these nations there were national emblems and national colors. It is true that these emblems and colors were those of the ruling family, but only because that family was head of the state—for when any usurper came up, through revolution to dominate the state, the emblems and colors passed to him after the same manner that the seal of the French Republic passes from one president to another who have no family connection, and regardless of “race, color or previous distinction.”

Among all the early races that dominated before the time of the Franks, there were no symbolic, hereditary race distinctions. Symbolization of a national character were arrived at abstractedly, in the following manner—which indicates the origin and growth of symbolization proper and is not to be confounded with the origin and growth of Heraldry.

ORIGIN AND GROWTH OF SYMBOLIZATION

Before letters were invented, the painted forms of objects were used to convey from man to man the meaning of ideas. And

before abstract terms, such as *swiftness*, *strength*, *majesty*, had been evolved from language, the arrested motions of forms were represented to signify those terms among men. Thus, in writing of the *running* horse, the animal was depicted in the act of *running*, with legs extended and bent as though in motion.

Certain birds and beasts began to be the emblems of the certain qualities which they represented; the lion for *strength*, the eagle for *swiftness*, the elephant for *irresistibility*.

The use of such emblems to indicate quality soon reënforced the belief of the people that quality inhered in them to such an extent that the image of a god was supposed to contain the soul of that god in the same manner that the body of a man was supposed to contain the soul of the man. In this belief, those who partook of the flesh of the lion, partook of his strength and courage.

It is a law of recognition that whatever is to be permanent must be perpetually in the same type and appearance. Unless there are separate types and appearances there could exist no differences; there would be weakness, confusion, dissolution. If a rose at one time may appear as a lily and at another as a daffodil, it would soon cease to be a rose or anything else.

The same law of recognition was applied in the ancient civilization to human types and appearances. People born in one rank of society wore one kind of apparel and of one color. They were educated to perform certain functions in the state which were peculiar to their rank. Laws were made to restrict their marriage to the type to which they belonged so that the type, in reproduction, might not become deformed, blurred and altered beyond recognition. Children born outside these regulations were *parriahs* and in some countries were reduced to slavery.

This law of recognition protected the *Castes* of ancient states. This law was enforced in Egypt, Assyria, Persia and India thousands of years before the Christian Era and in a more flexible condition in Greece and Rome and even in modern Europe down to the XVI Century. In XVI Century pictures one may readily recognize a nobleman of France from one of the magistrates, or from one of the *bourgeoisie*; a *gentleman* of England from a *yeoman*, and a German *reiter* from a *burgher*. In every part of

the world, traces of these *castes*, or anthropological and hereditary differences of transmissible race-types, are perceptible in the dress of the age. Even at the present day of abstract generalization and universal sameness of apparel a faint trace remains.

These laws proclaim the irresistible influences of natural, evolutional forces in racial limitations.

It was an axiom of state in the early days, that as a man is born and not made, the race-limit of his birth predetermines his rank in the state. It was then conceived to be profane to attire the son of a peasant in the garb and colors of Royalty. Besides, as men were acquainted with knowledge only by the pictures which represented that knowledge, if a King's son were depicted in peasant's garb he would not be recognized. If all *castes* had the same fashion of dress, as now, it would have been impossible for the ancient historian to have conveyed his meaning on the Pyramids, of his message to posterity. It was practically imperative then, that the rose should be the rose and the scrub the scrub. But the science of abstraction has disconcerted modern intelligence and has hastened social dissolution.

As language, letters and art came only through the superior race, they were supposed to be divine gifts. Those distinctions of family (caste), nationality and race (emblems) were also reckoned divine. The sacred animal of a nation was the national emblem. The white elephant in India, the eagle in Rome, the raven in Scandinavia were among these as were the serpent and crocodile in Egypt. Each nation was represented in the picture-literature of the age by its emblem. Before there were abstractions to denote quality, quality was represented by the thing that possessed it. It was believed that quality was inherent in matter and that spirit could not exist apart from matter. Certain of the Africans of the present day eat the heart of the slain lion in order to partake of his courage and ferocity. Among civilized people there is preserved the idea that the cloak, or mantle of the sage, if falling even on foolish shoulders will impart some of the wisdom of the sage. But so far it is modern extravagance due to abstraction of speech—an extravagance that the ancient, concrete saying would not allow.

It was the art of the ancients to combine certain animals into one in order to denote complex attributes. In this manner the Centaur, the dragon, the wyven and the pheonix came into existence.

There was this community thought to be established between mind and substance, that no property of mind could be conceived or isolated from some shape or form. The converse of this was that no shape existed but for the purpose of the mental attribute which it suggested.

Among all people this belief is found to reign supreme, until it was weakened by religious mysticism, especially in the Christian Era, that teaches the heterodox that quality can be dissociated from form, and that substance is not a correlative of quality. Symbolization alone of all the arts has preserved the poetic representation of the ancient, classic understanding.

In the very beginning of nations, long before the Christian Era, the father of a family was a law-giver, and ruled over his household. Such a household consisted of sons and daughters and remote relatives constituting the clan; and servants, dependants and mongrels of different races dominated by the clan.

When a family, or clan, dwelt at a distance from others, and was free and independent, the father was the chief, the sovereign. The Highland Clans of Scotland, before their autonomy was broken in 1745, were examples of what once were everywhere among Ayran states at a certain period of their history.

The sons and daughters of the chief, being of a superior race, would not intermarry with the common clansmen, who were of an inferior race, but with the sons and daughters of other chiefs. For example, most of the Highland chiefs of Scotland, like the Grants, Camerons, Grahams were of Franco-Norman lineage, while their clansman were of Gaelic, or Keltic origin.

By this intermarrying among the sons and daughters of chiefs, a network of family alliances was formed which blended the various clans into a nation, and united the various chiefs into a senate, a Patrician Order, a nobility.

But afar off in the days of concrete representation, before words were invented to denote abstract qualities, the noble qualities of the first father, or chief, of the clan, after his death

caused his children to believe that the influence of those qualities existed again in the zephyrs of the air, in the light of the stars, in the warm and caressing fingers of the Morning Sun, in the healing of beneficent herbs, in the smile of azure skies. They believed that their first father had become a god, and that the child who inherited his power over the clan and nation was of divine right. For this reason they symbolized Royalty in the colors of divinity, in the yellow or gold of the Sun, or in the azure of the Heavens, or in the green of the Earth. In China and Persia, yellow was the imperial color to use which was the exclusive right of the Imperial Family. This color represents not only the divine all-seeing power of light, but it is the symbol of the originator of life—the Sun—whom the Fire-worshippers of Persia adored.

Some chiefs of nations chose azure, or purple. Purple at one time was the imperial color of Rome, changed later to green. Azure is the royal color from the color of the Sky that encircles all with the arms of protection and majesty. Its meaning has been variously described as majestic, true, loving, loyal, faithful.

Green, the last of the three universal and royal colors represents the hue of Life in Nature, when it is robust and vigorous. Its meaning is vital, soothing, healthful—opposed to the evils of decay and dissolution; it is the emblem of Youth.

Red with black and white, the three royal colors and their derivatives, are the proper symbolical colors. Most of the shades are derived from the flowers that the various clans, families and chiefs wore as badges. To preserve the stiffness of their outline against fading, rosettes, or cockades, were made. Charlemagne emblazoned roses in his banner, interspersed with crosses-crosslet. The white and the red rose were the badges of the Houses of York and Lancaster. The golden lily was the flower of the Bourbons. The white rose was the badge of the Stuarts. A sprig of broom was that of the Plantagenets. The meaning of colors is taken from Nature. Red is the color of the battle-field and means military courage. Black is the punishment by fire. It was a custom among the chiefs of the Scottish Highlands, whenever they desired to summon their clans for battle or foray,

to dispatch throughout their districts, messengers carrying a cross, on one arm of which had been nailed a bit of wood dipped in the blood of a lamb, and on the other arm, another bit of wood blackened by fire. Some writers declare that the meaning of this to the unlettered clansmen was, that if they refused to respond to the summons of their chief, that he would punish them with fire and slaughter, while others assert that it signified that they must aid their chief with sword and torch.

After states had begun to be developed from tribes, or clans, and the number of children of the chiefs, or Patricians, had increased in number so as to form a large class of the population, there was illustrated the being of two distinct races living under the same government. These two races co-existed only as two distinct classes—the governors and the governed.

Originally there were three races in the World with absolutely distinct origins. I The African, or black race, whose tradition claims descent from the animals; II The American, or red, race whose claim is to be Earth-born, like Adam; III And the Aryan (noble) or white race, whose legends trace to a god-ancestry. It was this latter race that alone had a civilization, a government, a code of laws, a system of symbolization of a literary character. Its conquests and domination introduced its culture everywhere in different degrees of excellence in proportion as it preserved its purity of blood by *castes* and its absolute hold on the power of the state. When this system of *castes* became broken, when the mongrel tide of its illegitimate offspring surged into control, the brightness of its glory faded; its civilization withered in Egypt, Assyria, Persia, India, China; for a different form presided—a mongrel for mwith a mongrel and deformed type—a blurred and dissolving quality. The early Romans were fair, so were the early Greeks; their civilization was great. The later Romans are dark, so are the later Greeks. The Patricians of the one and the Aryan nobility of the other have disappeared; only the negretto compound of servile and subject races, introduced from Africa in the Mediterranean district remains *and drags* the purple and green of the Empire in the *filth* of its own mongrelized degradation. In the ancient state the superior race was further divided into the military and civil, at the

head of both of which was the King, or principal chief. Thus the King became a civil magistrate while retaining his former rank of military commander. As a civil magistrate, his power was limited by the Council of sub-chiefs, but as military commander there was no one to oppose his authority. In the history of ancient states it is beheld frequently that the principal chief, as military commander, superceded the Civil Council and ruled supreme.

In the modern state, founded on abstractions divorced from race-function and organization, every place is for everybody and nobody has any definite place, type or function. This relaxation of Natural Law, with the obliteration of the borders of races and of classes has produced an obscure blending of ranks and occupations; the quality of Aryan nobility and non-Aryan villany crop out spasmodically in the same family of the mongrel products like rheumatic attacks in a gouty diathesis flying from one part to another of the social organism; classical features are united with those of a baser origin in the same individual whose mongrelization is thus proven. Any one may trace to any origin desired, although, the greater number of degrees, or generations of nobility is proof of purer aristocracy, of cleaner Aryan blood. With the increase of race and class blending in the state has correspondingly decreased, the correct symbolization of their distinction—for when there is very little or nothing to distinguish in the race-character of families, the symbolization of what has ceased to be, is a manifest absurdity.

Again, with the growth of abstract terms of speech is the weakening of concrete representation. The consequence is a renewed enfeeblement of quality in the race, for so soon as quality is divorced from symbol, it is not conceived to be necessary for it to have a definite structure and function.

From the earliest time in the history of symbolization the influence of philosophical speculation over it may be clearly traced. It worked with the giant plan and concept of the purer Aryan mind.

As everything was beheld to be under control of the powers of nature, and those powers were witnessed to be under one in this diversity; under some unity of purpose, the intelligence

directing this diversity was conceived to be individual and divine; its duration, eternal; its law, perfect.

The circle was chosen as the proper emblem to denote this divine rulership and power. The circle was chosen because its surface is continuous—all its parts are alike in unison of curve and, therefore, perfect. Now the world, if ruled by two or more powers, would be brought to a confliction of parts, which causes desolation, confusion, anarchy. It becomes manifest from this, that when the earth is governed by one power, or King, that that power approaches the divine in its likeness to unity. This unity, or monarchy, is the semblance of the divine on earth. This doctrine of Oriental Aryan speculation produced its effect on the great military chiefs and kings of old. So soon as their rulership became established in absolute unity, they caused themselves to receive divine honors. They wore the circle on head and finger as evidence of divine right. The King of Persia was known as the "King of Kings." For centuries the Grand Mogul at Delhi claimed the same distinction from neighboring peoples. The great Kahn of the Golden Hord of Tartary, beyond the barrier of the Asian Mountains, demanded the same signification which was accorded even by the early Dukes of Muscovy. Thus within the range of his subordinate circle of states, each great king claimed the union of earthly right and might as his own, in a sense divine because universal and absolute.

The universal colors of purple for the Sky, gold for the Sun and green for the Earth were the emblematic representations of this royalty; for God who rules the Sky gives light to the Sun and life to the Earth, and kings represent His might in the World when their rule is universal and they command alone.

Thus the circle represented by the Crown and signet-ring, with the dress of purple, green and gold became the symbols of Royalty.

Darius, King of Persia was followed by Alexander, who conquered the World, who, as the pupil of Aristotle, the pupil of Plato, the pupil of Socrates of the VI century before the Christian Era, who taught the oneness of authority as the necessary state of harmony and order: that the circle, as the most perfect figure, represents the divine and is the form of the God-head.

SEIGNEURIAL AND CONSULAR NOBLESSE

[From Archives of College of Arms of Canada—de Fronsac, Herald-Marshal.]

ROBINEAU, BARON DE PORTNEUF

Arms:—Or, a chevron, az., in chief two roses, gules; in base, a tree, vert; coronet of baron, over Seignourial one.

History:—This family belongs to the ancient noblesse of Bas Poitou, in France, and derives its patronymic from the lordship of Plessis-Robineau, Parish of Vernan-Sault, in subinfeudation to the principal fief of Roch-sur-Yop. It is mentioned in an act of December 30th, 1090. It then passes in review of successive generations of Lords de Plessis-Robineau to the time of Jean Robineau, 1350, Seigneur du Plessis-Robineau. RENÉ ROBINEAU was the first of this name and family in Canada. He was an officer in the regiment of Turenne and a Knight of St. Michel. His father, Pierre Robineau, had been Knight, Counsellor and Treasurer-General of the Light Cavalry of Paris, and his mother was René Maureau, of St. Nicholas des Champs, Paris, René Robineau married in Canada (1656) Marie A., daughter of Jacques le Neuf. Seigneur de La Poterie. The Seigneurie of Portneuff was erected into a barony for him by King Louis XIV. He also inherited the fief of Becancour, which was made a barony as well. His son Rene Robineau, second Baron de Portneuf, was commandant of Fort Chambly in 1725, and was a skilful military commander. He was succeeded by his son, Pierre Robineau, third Baron, whose mother was related to Dandonneau, Marquis de Sable. He married and left quite a numerous posterity, among whom is the inheritor of the title.

DENYS DE LA RONDE

Arms:—Gules, a bunch of grapes, argent. Coronet of Count over Seignourial one. Supporters, two stags, ppr.

History:—Capt. Jehan Denys, native of Honfleur, of Normandy, was one of the greatest explorers of the 16th century. In 1504 he visited Brazil, and, in 1506, he published a chart of the Gulf of Canada, which was the first ever printed of its coast

lines. In Dionne's "Nouvelle France," it is declared that he "was the first of the Normans to set foot in a definite manner on the shores of Newfoundland." An account of himself, his son, and his grandson, as members of a charity fraternity, in Honfleur, is preserved in the Church of Notre Dame. His grandson had a son who married Margaret, eldest daughter of David de Forsyth, of Dykes and Fronsac, in Scotland.

Pierre Denys, younger son of the great explorer, became Intendant of Finance of the city of Tours. His son, Mathurin Denys, Sieur de la Tribaudière, was Captain of the Royal Guard. It is related that on May 7th, 1589, King Henry III., being besieged in the city of Tours by the rebellious Duc de Mayenne, was obliged to rely on the valour of Denys for safety, who was killed at his side by a pike thrust. Denys was accorded royal honors at his funeral, the King himself marching on foot in the procession. Denys had married a Miss Aubert, and his son, Jacques, succeeded him as Captain of the Royal Guard. Captain Jacques married Marie, daughter of Hugues Cosnier de Beseau, and brother of Emilius Cosnier, one of the "Hundred Gentlemen of the King." He left four sons: Nicolas, the historian and Governor of Acadia and Newfoundland, whose family received the fief of Fronsac in Acadia (New Brunswick). Simon, Seigneur de la Trinité in Canada, Captain in the Regiment of Carignan Salières, and Receiver-General of the Company of New France at Quebec; Jacques, Quartermaster-General of the King's Armies, killed at Candia in naval battle against the Venetians; and Henry, who was in the Royal Guard, and was killed in Italy. Of the children of Simon, at Quebec, was Philip, Seigneur de La Ronde, Grand Master of the Woods and Waters of New France, one of whose daughters married the Chevalier Claude de Ramzay, Commander of the troops, who built the Chateau de Ramzay in Montreal in 1705.

His son Claude, Chevalier de la Ronde, Siegneur de Bonnaventure, was Lieutenant-Governor of Acadia, a naval commander of merit, Knight of the Order of St. Louis, and father of Claude Charles, Chevalier de La Ronde, Seigneur de Bonnaventure in Canada who became an admiral after retiring to France, where he left a worthy posterity.

The son of his cousin, Pierre Denys, Chevalier de La Ronde, Knight of St. Louis, born in 1726, was Major of the troops sent to Louisiana. His eldest daughter, Louise, there married Don André Almonaster y Roxas, Knight of the Spanish Order of Charles III., Colonel of the Royal Regiment of Louisiana, and Alcaldé of the Council, who founded the Cathedral of St. Louis, the Court House, some schools and hospitals, all in New Orleans. A daughter by this marriage married the Baron de Pontalba, a General in the army of Napoleon I.

Pierre de la Ronde had one son, Pierre, who succeeded his father-in-law, Don Almonaster, in all his honors. After Louisiana passed to the United States, he was General commanding the Louisiana troops at the battle of New Orleans under General Jackson, whose success was due to adopting de La Ronde's plan.

From one of the sons of the first of the name who remained in Canada is descended Major de La Ronde, of Ottawa, and his brother, R. P. de La Ronde, of St. Andrews, Que.

FORSYTH, BARON OF DYKES AND VISCOUNT DE FRONSAC

Arms:—Argent, a chevron engrailed gules between three griffins sergeant, vert, armed and membered of the second.

Crest:—1st. a demi-griffin, 2dly, a griffin's head between two wings, both vert, armed and membered gules.

Motto:—"Loyal à al Mort." Coronet of vicomte over seigneurial one.

History:—The name Forsyth is derived from Forsith, a King of Central Germany of so great honor and renown that he was deified before the III Century as a God of War and Chivalry. He was ancestor of Charlemagne, King of the Franks, Emperor of Germany and of the Romans who built the fortress castle on the Hill of Fronsac twenty miles above Bordeaux in 786, and named it Forsith, after his hero ancestor. In Froissart's "Chronicles" the name is spelled Forsath. Descended from the lords of the castle who were also Vicomtes de Fronsac, and of the race of Charlemagne of the House of Heristall, was Osbert de Forsath who went to England in 1223 and to Scotland later, whose son, William de Forsith signed the Ragman Roll in 1296 as one of

the feudatories of Scotland, from whom descends the Forsyths, free Barons of Dykes of Co. Lanark. The Hon. Matthew Forsyth, eldest son of James, Baron of Dykes and Vicomte de Fronsac succeeded his cousin, Nicolas Denys, Seigneur de Fronsac in Canada in 1732. This Nicolas was son of Richard Denys de Fronsac, Governor of Gaspasie whose father was Nicolas Denys, Governor of Acadia, Gaspasie and Newfoundland [mentioned in the Denys de la Ronde notice above] whose only daughter married at Honfleur, Capt. James Forsyth, an ancestor of the Hon. Matthew Forsyth. This latter was residing in the North of Ireland before 1732 with a few other Royalist exiles from Scotland whose sires had fought for the Stuarts and legitimacy in 1715 and before. He attempted to come to Canada, but was unable to bring his family and property directly because of hostilities which existed between Britain and France. So he came to Chester, New Hampshire, with some Scottish settlers in 1732, and again with his family in 1742, where he was chief of the Scottish colonists and the intermediary for their presbyterian parish before the provincial government against the abuses which the Puritan Yankees sought to heap on them. As a Seigneur of Canada, by his influence with the French he secured an understanding whereby his Scottish colonists would not be molested in the border troubles between the French and Indians against the New England Colonists—which mutual respect continued until the Treaty of Cession of Canada of 1763. He was President of the Chester Committee of Public Safety in 1776 and raised the Chester Company of Infantry of the New Hampshire Regt. to oppose the forcible interference of Parliament in the affairs of the provinces which were fiefs of the Crown and not legislative constituencies of the London legislature. But he was a Royalist above all else, as were the principal members of his family, and especially the line claiming the titles of Dykes and Fronsac, that have since returned to Scotland retaining only their Seignorial connection with Canada. His eldest son, Dr. Matthew Forsyth was physician on a French man-of-war and settled at Cherbourg in Normandy, where his nephew Thomas (son of ensign William, himself son of the Hon. Matthew) was educated as his heir and the successor to the titles of Dykes and Fronsac.

Capt. Frederic, eldest son of Thomas was the first Chancellor of the reorganized Aryan and Seignorial Order of the Empire in 1880, he commanded the Guard of Honor at Portland of the late King Edward VII when he visited America in 1860, and was father of the present Herald-Marshall of the Order, and of his brother, the Registrar-General of the College of Arms of Canada. From Alexander, brother of the Hon. Matthew, descended the Hon. John Forsyth, Governor of Georgia, and Secy. of State for the U. S., whose son was Col. John Forsyth, Confederate Commissioner Plenipotentiary in 1861 and chief of Staff of the Confederate Army of Tennessee; also from the same Alex. was Dr. Alex. Forsyth who revolutionized the art of warfare by his invention of the percussion lock and fulminate to whom the Emperor Napoleon in 1806 offered the title of Count of the Empire, Inspector-General of Ordinance, and 20,000 £. Stirling, to come into the Empire, but he refused and gave his invention to the British government that employed his device in all arms, but without reward or thanks to the inventor. From the same Alex. is also descended Major-Gen. Alex. Gregor Forsyth of the Bengal Staff, the late Major-Gen. George A. Forsyth, U. S. A., the late Major-General James A. Forsyth, U. S. A., also Col. Benj. Forsyth, the only efficient officer of the U. S. on the Northern Border in the War of 1812-15; also Col. Thomas Forsyth, the noted Indian Commissioner of Missouri, whose brother and brother-in-law, Kenzie, founded Chicago. From Capt. Alexander Forsyth, the uncle of Hon. Matthew, is descended the late James Bennett Forsyth, the inventor whose appliances for the manufacture of vulcanized India rubber, hose, belting and machinery, are used in every country in the world. Capt. Cyrus Hamilton Forsyth, brother of the late Frederic, Viscount de Fronsac, was one of the officers in the war for the independence of Texas, and the name Forsyth is on the monument at Galveston, erected to the heroes of Texas.

RASTEL, COMTE DE ROCHEBLAVE

Arms:—Az., two lions or, armed and tongued, gules, affronté, and sustaining in their front paws pale-wise, a rateau, indented, sa., Coronet of count over Seignorial one.

History:—This family is very ancient, its origin being syn-

chronous with the time of chivalry. It held vast estates in Provence and Dauphiné, France. The records state that Raymond du Rastel, Knight, seigneur de Rocheblave, called "Dominus Raymundus de Rastello," in the act of partition which he made of one of his fiefs, Oct. 31st, 1287, with Messire Bertrande D'Ayoles, had for son and successor, Françon du Rastel, whose brother was Isnard du Rastel. Many of this family were eminent in France under the old monarchy, especially among the Knighthood of the Order of St. Louis.

Descended from the principal line was PIERRE LOUIS DE RASTEL, Comte de Rocheblave, who came to Canada before 1760, and as a noble, was enscribed in the seigneurial ranks of that country. He came as a military officer, son of Jean J. de Rastel, Marquis de Rocheblave, and of Frances, daughter of the Sieur de Dillon (St. Jacques de la Lavournay, Gap., France). He married at Montreal (1760) Marie J., daughter of Charles Duplessis. His son Philip de Rastel, Comte de Rocheblave, was one of those who rallied to the Royal Cause in 1775, and joined the Royal Standard to repel the invading republicans under Montgomery.

The grandson of this valorous noble died some years ago in Montreal, leaving a widow, the Countess of Rocheblave, who was one of those interested in the assemblies of the United Empire Loyalist Association, held so frequently in Montreal from 1895 until within a short period ago.

ST. OURS

Arms:—Or, a bear, sable. Seigneurian Coronet.

History:—The history of the de St. Ours commences with that of the ancient province of Dauphiny in itself, in which part of France the family belonged to the noblesse. The sole representative of the de St. Ours resided at the Chateau of Griffoul, Sailat, Dordogne, France. PIERRE DE ST. OURS, Seigneur in Canada, Captain in the Regiment Carignan-Salières in 1664, Knight of the Royal and Military Order of St. Louis, and first officer of the marine, was the progenitor of the family in Canada. He married, first, Marie Muloire, and second, Marguerite, daughter of Charles Le Gardeur. The family possessed the seigneurie and manor-house of St. Ours, in the province of Quebec, and it

was from there that the brigadier de St. Ours sallied forth to join Levis in 1760 before the last battle (Ste. Foy) for the possession of Quebec. It was in this battle that the brigadier de St. Ours was killed. His family possessed the seigneurie down to the year 1905, when the last male of the race, the Seigneur Alexandre de St. Ours, died unmarried. The seigneurie, now the property of Mme. Dorion, will revert to the next heir, who is a Taschereau.

JUCHEREAU DE ST. DENIS

Arms:—Gules, a head of St. Denis, arg., crowned with coronet of Marquis, or. Supporters: Two Savages, Indians, coronet of Count over Seigneurial one.

History:—Juchereau bore the title of Comte de St. Denis in Touraine, France. The first of the family was Jean Juchereau, "ecuyer," thus qualified in an Act of 1653. This family has included several superior officers, who were decorated with the Knighthood of the Royal and Military Order of St. Louis. Jean Juchereau, above mentioned, was born in 1592, and married Marie Langlois. He was Seigneur de Maure, Royal Counsellor, and brother of Noël Juchereau, Sieur des Chastelets and Commissary-General for the Company of New France. His son, NICOLAS JUCHEREAU, Comte de St. Denis, Seigneur of Canada, married at Quebec, in 1649, Marie F., daughter of Robert Giffard. From him is descended that branch of the de St. Denis, now residing in Louisiana, which was one of the original families of that province, now a state of the American Union. One of his sons, whose posterity are known in Canada, was Ignace Juchereau, Sieur Duchesnay, who married at Beauport (which place became the Seigneurie of this branch of the family), Marie J., daughter of J. B. Peuvret, to whom belonged the Seigneurie of Fossambault. This afterwards went to the Duchesnays, one of whom, the heiress of Fossambault, married Etienne Taché, Deputy-Minister of Crown Lands at Quebec, who is the present proprietor. From this same branch of Duchesnay, Seigneur de Beauport, was descended Col. Duchesnay, brother-in-law to the late Cardinal Taschereau, and Major Duchesnay, one

of the superior officers of the Ancient and Honorable Artillery Company at Massachusetts, at Boston.

HERTEL DE COURNOYER

Arms:—Vert, a harrow (ancient), or. Seigneurial Coronet.

History:—JACQUES HERTEL de Cournoyer, son of Francis, grandson of Jacques, and great-grandson of Nicolas and Marie Mauqueru, belonged already to the noblesse when he came to Canada. He was born in 1667, and was Captain and Seigneur in Canada, when he married at Three Rivers, in 1691, Marguerite, the daughter of Michael Godfroy. His brother, Zacherie, who became Seigneur de la Fresnière and was lieutenant, had another brother, Jean B. Hertel, Seigneur de Rouville (which seignury and manor-house are near St. Hilaire, P. Q.) who was one of the most distinguished military leaders of his time in America. He carried his triumphal arms to the gates of Albany, in New York, and to Deerfield, in the centre of Massachusetts. He commanded the troops at Port Toulouse, Cape Breton, in 1720. Descended from him was the Seigneur, Hertel de Rouville, who testified to the loyalty of his battalion in 1837, on the eve of the rebellion of that year. The family possessed, until recently, their ancient domain of Rouville.

BOUCHER DE BOUCHERVILLE

Arms:—Az., a chevron, pointed in a fleur-de-lys, between two acorns in chief and a Jerusalem cross surmounting a mound of rocks or in base. Coronet of Count over Seigneurial one.

History:—Gaspard Boucher, who is the first of this family recorded, was born at Lange, Mortagne, France, in 1619. His wife was Nicole Lemaine. Although of small means, he gave birth to a family whose energy, enterprise, and merit placed them very soon among the highest of Seigneurial ranks in Canada. His most noted son was PIERRE BOUCHER, a military officer, on whom the King bestowed the Seigneurial Lordship of Gros Bois and Boucherville in Canada. He was born in 1648, and became Governor of the district of Three Rivers, and was at one time

administrator of New France. He wrote and published a history of the country, which is among the rare accounts of the present day. It was the custom of French families to add the name of their seigneuries to their family names; and as this family became possessed of the Seigneuries of Gros Bois, Boucherville, La Bruyère, Montarville, Monthbrun, La Borguerie, Montizambert, Vercheres, etc., those who have these as family names count the noted Pierre Boucher as their ancestor. Among these are M. de La Bruyère, Superintendent of Education for the Province of Quebec, whose grandfather received a medal from the King of Great Britain for services in the war of 1812, and who still preserves one of the battle-flags of that war granted to his ancestor. The late Col. de Montizambert, and his brother, Dr. de Montizambert, of Ottawa, represent another branch.

Dr. de Grois Bois, of Roxton Falls, Quebec and Ottawa, is the descendant of a third branch, while Senator de Boucherville, and Joseph de Boucherville, K. C., of Montreal, are members of the principal line. The old manor-house of Boucherville, built about 1682, is still in the possession of the family, and is one of the few old family homes of North America.

CHARTIER DE LOTBINIERE

Arms:—Azure, a fesse coupée at the sides, or sustaining two martlets of the same, accompanied in point by the stem of an olive, on each side of which are three leaves, or. Coronet of Marquis over Seignorial one.

History:—Owing to the destruction of records in France by the ruffians of the Revolution of 1792, it is difficult to find genealogical data, but the first of this race in station at Court was Alain Chartier, Fiscalier to King Phillippe II. Then came Alain, Chartier, secretary for King Charles VI. and Charles VII. Of the same family was Guillaume Chartier, Bishop of Paris.

The first to come to Canada was LOUIS THEANDRE CHARTIER, Seigneur de Lotbinière, whose father, René P. Chartier, was in direct succession from Alain, the royal secretary, and had been councillor in the Parliament of Paris and physician to the King. The son married Marie, the daughter of Louis D'Amouez, at

Paris, in 1691, and his son, René S. Chartier, Seigneur de Lotbinière in Canada, was civil and criminal magistrate at Quebec in 1678. He married a daughter of Eustache Lambert, and left quite a family, among them being his successor, Eustache Chartier, Seigneur de Lotbinière, who was ensign of troops, Kings' Counsellor, and married, in 1711, leaving a son, Michel de Chartier, first Marquis de Lotbinière, Vaudreuil and Alainville, by letters patent from King Louis XVI., June 25th, 1784, the title being granted for diplomatic service rendered the French interests in Canada against the bad faith of the English democrats, who were seeking to ignore the Act of Quebec, which confirmed the ancient Constitution as the supreme law of the land. He married a daughter of Gaspard Chossegras de Lery in 1787, and left an only son, Eustache G. M. Chartier, the second Marquis de Lotbinière, who married, first a de Tonnancourt, and, secondly, the widow of Col. Munro, of Foulis, and who left three daughters, who married respectively, a Bingham, a Harwood, and a Joly. Sir H. G. Joly of Lotbinière, Lieut.-Governor of British Columbia, is a son of the third. The Binghamms are the representatives of this illustrious family to-day.

IRUMBERRY DE SALABERRY

Arms:—Party per pale, first division party per fesse, (A) or a lion, gule (8) armed and membered, (B) or, 2 oxen gules, horned and hoofed. Second division, gules, a cross, arg., pommétée or, within a bordure, az., charged with eight franchis. Supporters: two angels. Seigneurial Coronet.

History:—This noble family is very ancient in the west of France and is of royal origin. In 1467, Pierre d'Irumberry had a son, *Jean*, who was the first Seigneur de Salaberry. In the 18th century, the representative of this family came to Canada as an officer of seigneurial rank. One of the family was a defender of Canadian independence during the treachery and confusion among the people which accompanied the eruption into the country of Montgomery in 1775-6. In the war of 1812, it was Col. De Salaberry who was the hero of the last campaign, defeating at Chateauguay, with only 300 Canadian militia, 5,000 Yankee troops under General Hampton, who was trying to break

through the lines and surprise Montreal. Among the present descendants of the "Hero of Chateauguay" is Chateauguay de Salaberry, of Montreal.

D'AILLEBOUST

Arms:—Gules, a chevron, or, between three etoiles of the same. Seigneural Coronet.

History:—Germany was the place of origin of the D'Aillebousts. The first of the name in France came to Cerry, in Touraine, as a physician-in-ordinary to King Francis I., at which place he died, August 21, 1531. Descended from him was NICOLAS D'AILLEBOUST, Seigneur de Coulange-le-Madelaine in Canada, who married Marie Monteth, a member of an ancient and noble Scottish family, long settled in France. One of his sons was Louis D'Ailleboust, the third Governor-General of Canada, who married Barbe de Bologne. His brother, Charles J. D'Ailleboust, Seigneur des Musseux who was a civil and criminal judge, married Marie, daughter of Pierre le Gardeur. One of his sons, Pierre D'Ailleboust, Seigneur d'Argenteuil, married Marie, daughter of Pierre Denys, Seigneur de la Ronde, and his brother, Nicholas, Seigneur de Monteth married her sister Frances. Yet a third brother, Paul, lieutenant of the troops, born in 1661, obtained the Seigneury of Perigny, marrying Louise, daughter of Seraphim Marganne, Seigneur de la Valtrie.

Many others of the family filled stations of honor under the ancient regime in Canada, when merit was a fact to be reckoned with, and not a fancy to be conjured. Certain members of the family in the D'Ailleboust name are said to be in the Province of Quebec, but almost every family of importance of Seigneural degree within the province represent their blood at the present time.

LE GARDEUR, COMTE DE TILLY

Arms:—Gules, a lion rampant arg., holding a Latin cross crosslet.

Crest:—Coronet of Count over Seigneural one.

History:—This family belongs to the ancient noblesse of Nor-

mandy. At the present day it possesses the castles of Brillvaste (La Manche), of Bristière, and the manor of La Grange (Villebois La-Valette).

RENÉ LE GARDEUR, Seigneur de Tilly, was the first of the name to come to Canada. He was born at Thurg in Normandy, and married Catherine de Corde. He commanded one of the expeditions against the early Anglo-Americans. One of his sons, Paul Le Gardeur, Seigneur de Repentigny, was Governor-General of Canada. His son, Charles, obtained the seigneurie of Villiers and married in 1663 at Quebec, a daughter of Nicholas Macard. Other members of this family, descended from the first seigneur, obtained the following seigneuries: Michel Le Gardeur, seigneurie d'Alençon; Paul Le Gardeur, seigneurie de St. Pierre (1692); Rene Le Gardeur, Seigneurie de Beauvais (1694); Charles Le Gardeur, Seigneurie Delisle (1696); Austin Le Gardeur. Seigneurie de Courtemanche; and Charles Le Gardeur, Seigneurie de Croisille. The latter married Marie A., daughter of Jacques Robineau, Baron de Portneuf-Becancour.

The family of Le Gardeur occupies one of the most distinguished leaves in the history of North America. Even Louisiana felt the impress of the family in its early development. A consultation of the directories of the cities of the province of Quebec, and the state of Louisiana, will reveal many descendants of the family under the names of Le Gardeur, de Repentigny, de Villiers, de Beauvais and DeLisle.

D'ABBADIE, BARON DE ST. CASTIN

Arms:—Arg., three crescents az., the two first each surmounted by a cock ppr., the third by a pine tree vert., trunk sa., the whole accompanied by a chief az., charged with three estoils of the field.

Coronet of a baron over Seigneurial one.

History:—The family of Abbadie, so renowned in the early annals of Canada, and whose domain embraced the eastern part of what is now the State of Maine, is well worthy of a conspicuous place in Canadian history. The city of Castine was the chief abode in the New World of the Barons de St. Castin, the city having been founded by them. To-day the ruins of their former fortress attracts the attention of tourists travelling

through the State of Maine in search of pleasure and novelty.

The first of the Abbadies mentioned in the French archives is Jean d'Abbadie, fifth son of the Hon. Bertrand d'Abbadie, Seigneur de Beleix, de Lignac, de Tartoin, etc., by his wife, Jeanne de Florence. This Jean was King's counsellor and Maitre des Requets of the King of Navarre's household in 1851. He married Bernadine de Luger, Lady of St. Castin, and daughter of Bernadets, daughter of the Hon. Martin de Luger, secretary to the King of Navarre. Two sons were the issue of this marriage: (1) Bertrand and (2) Jean. Bertrand, the elder, Seigneur de St. Castin, was born in 1620, and married in 1649 Isabeau de Bearn de Bonasse, by whom he had two children, Jean Vincent and Marie. JEAN, born in 1654, was the first Baron de St. Castin. He was the King's lieutenant Seigneur and Governor in Canada, where, in 1688, he married the Princess Mathilde Mataconando, daughter of Prince Mataconando, general-in-chief of the Abenakis and King of the Micmacs. By this marriage there was issue a son, Bernard Anselm d'Abbadie, Baron de St. Castin, Seigneur of Norembeaga (Maine), and hereditary governor of the same place. He married at Port Royal, Acadia, Marie C., daughter of Louis d'Amours, Seigneur of Jemseg, a place on the St. John (N. B.) River.

His eldest daughter, Marie A., married Pierre de Bourbon, "avocat," of the Parliament of Navarre, in whose family the title of Baron de St. Castin is now to be found. A younger daughter married the last Count de la Tour of Nova Scotia, whose descendants are to-day included among the Melançons, Seigneurs de la Verdure, and the Meuses, Barons d'Entremont, of that province.

TESTARD DE MONTIGNY

Arms:—Az., a human head arg., front face, poised over flames or. Seigneural Coronet.

History:—This family was noble before coming to Canada, being descended from Testard, Seigneur de Brit in Guienne, France, who established his descent from Pierre Testard, father of Pierre Testard, who married Agnes Fouriend October 11th, 1480.

Of this family was JACQUES TESTARD, Seigneur de Montigny, Captain in the Navy, Knight of the Royal and Military Order of St. Louis. He was born in 1663, and was the son of Sir James Testard de la Forest, and grandson of Jean Testard and Anne Golfroy of St. Vincent, Rouen, Normandy. He came to Canada as an officer and Seigneur, and married at Quebec, in 1689, Marguerite, daughter of Mathias D'Amours, and, after her death, Marie, daughter of Louis de la Porte, Seiur de Louvigny.

This family, which yet has descendants in Montreal and Quebec, has given many noteworthy men to the country. Among them in recent years was the noted law-author, Testard de Montigny, of Montreal, who wrote the "Droit Canadien." Paul de Montigny, of Montreal and Paris, well-known in current French literature, and Dr. De Montigny, of Montreal, are of this ancestry.

HISTORICAL VIEWS AND REVIEWS

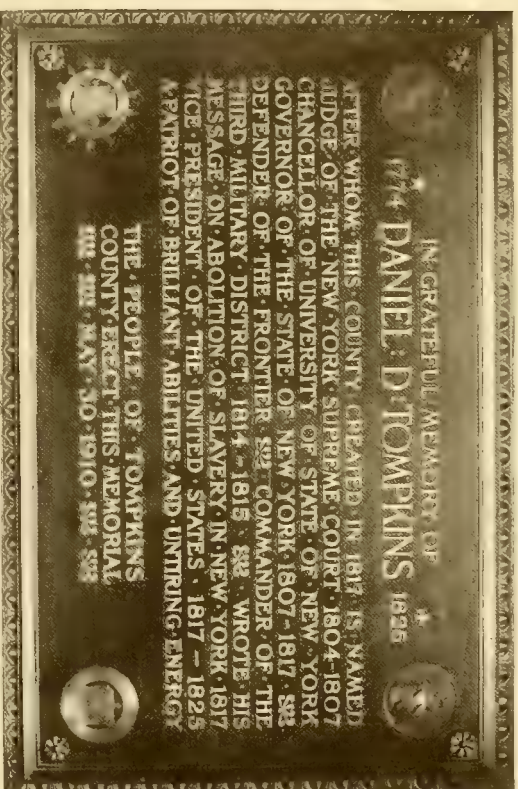
Readers of Americana are invited to contribute to this column their views on any topic that comes within the scope of the magazine. Criticism and corrections are welcome.

IN MEMORY OF A WAR GOVERNOR

THE people of Tompkins County, N. Y., realizing the patriotic character of the statesman after whom their division of the State was named, unveiled, on June 21, a tablet to his memory, in the Federal Building at Ithaca.

Daniel D. Tompkins, who was thus remembered, was born in a little log hut, which then stood a few hundred feet west of the Scarsdale monument. He was the seventh son and the ninth child of his parents, who had three children younger than Daniel. The Revolutionary War forced the removal of the family to Dutchess County until peace came, but the war was over before the boy could take much practical interest in it. Although he had attended such schools as he could, he practically prepared himself for college, and graduated from Columbia in 1795, receiving the first honors of his class. When twenty-three years old, he was admitted as an attorney to practice at the bar of the Supreme Court, and, in 1801, was elected representative from New York City in a commission to revise the constitution of the State. In 1802, he was elected to the State legislature, and in 1803, was chosen to Congress, but, before that body convened again, he resigned his seat to become a Supreme Court judge. In 1807 he was elected governor, and he served continuously until 1817, when he became Vice-President of the United States, serving two terms with President Monroe, and retiring only three months before his death, which occurred on June 11, 1825.

He married Miss Minthorne, of New York City, and three sons and three daughters were born of that union. After his



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A MEMORIAL TO A GREAT NEW YORKER

(See *Historical Views and Reviews*)

marriage, he made his home on Staten Island, and Tompkinsville was named in his honor.

The bronze tablet, which was made by the J. & R. Lamb Company, contains, besides the dates of birth and decease, the Tompkins coat-of-arms, the seal of the city, the seal of the DeWitt Historical Society of Tompkins County, and the arms of the State of New York, with a brief outline of the chief public services of the governor who served so faithfully during the War of 1812.

A FORGOTTEN NAVAL BATTLE

There has been discovered recently in a small burial ground in Rochester Centre, in the southwestern corner of Plymouth county, Mass., a headstone to a grave which recalls a sea fight between an American cruiser and (supposedly) an English warship, in the Revolution, of which there seems to be no mention in any historical records.

According to the inscription on this headstone at least one American was killed, Nathan Haskell, a Lieutenant of Marines in the Massachusetts cruiser Mars, commanded by Capt. Simeon Samson. Interest and authority are given to the inscription in view of the fact that Haskell was a brother of Major Elnathan Haskell of the Continental artillery during the Revolution, who served on Washington's staff and spent some time at Mount Vernon. Major Haskell's face appears in Trumbull's famous painting "Burgoyne's Surrender," in the Capitol at Washington.

The inscription on the Haskell headstone reads as follows:

MEMENTO MORI.

Here lieth the remains
of Mr. Elnathan Haskell.
He died the 16th April, 1783,
in the 58th year of his age.
Lieut. Nathan Haskell,
son of Mr. E. Haskell, fell in an
engagement in latitude 47 & 18 N,
on the coast of France ye 9th Sept.,
1780, in the 20th year of
his age.

In none of the Government official reports nor in any of the histories of the American Navy is mention made of any sea fight having occurred at this date, yet here is a definite declaration that a member of a well known New England family "fell in an engagement on the coast of France ye 9th Sept., 1780." The latitude given would indicate that the action was fought off the mouth of the River Loire where it empties into the Bay of Biscay. A short distance up the Loire in Nantes, a port much frequented by American armed vessels in the Revolution.

Nathan Haskell came from a well known New England family. One of his ancestors was Roger Haskell, of Salem, Mass., whose son Mark came to Rochester in 1692 to avoid serving on a jury in a witchcraft trial. Rochester and Rochester Centre were the seat of the Haskell family for more than a century. At the close of the Revolution Major Elnathan Haskell married Charlotte Thompson, of Charleston, S. C., where he resided to the day of his death, leaving several descendants.

THE FIRST CATHOLIC BISHOP OF NEW YORK

Mr. J. S. McCreedy, of Boston, Mass., writes:

I think that some mention should be made of the fact that June 19 was the one hundredth anniversary of the death of Rt. Rev. Richard Luke Concanen, who, while he did not live to see his charge and never actually administered the affairs of his diocese, has the distinction in ecclesiastical annals of being the first Bishop of New York. Although eager to assume his duties, he was prevented from sailing to this country by reason of the disturbed conditions of Europe at that period, and, for a time, he was held a prisoner of war, having aroused the suspicions of Napoleon.

Bishop Concanen was born in Ireland. His biographers do not know the date of his birth, some holding that it was 1740, others 1747. He was educated at Louvain, Belgium, and at Rome. The Patriarch of Alexandria, the Most Rev. Francis Mathon, ordained him in the Basilica of St. John Lateran, and in 1781 he was elected prior of the Convent of St. Clement, a famed house of the Dominicans in Rome. Eventually he became the

master-general of the entire order and agent at Rome for the bishops of Ireland.

Archbishop Carroll of Baltimore made him his special representative at the Vatican, and later suggested him for the post of Bishop of the diocese of New York. Pius VII. appointed him and he was consecrated by Cardinal di Petro on April 24, 1908. He made two efforts to reach this country, but failed to elude the searching eyes of Napoleon's emissaries.

THREE SHRINES HONORED

Three historic shrines that are of more than local interest have recently been signally honored. On Memorial Day, more than two hundred persons gathered at the quaint old Paine house, in New Rochelle, to dedicate the Paine Museum, which is located there. The speakers were Mr. Leonard Abbott, president of the Thomas Paine National Historical Association, Prof. Thaddeus Burr Wakeman, Dr. Juliet Severance, and William M. Vander Weyde, secretary of the Paine Association. The Paine monument, from the base of which the speeches were made, was beautifully decorated with wreaths, flags, and large bunches of peonies. The wreaths were of special historic interest, one of them being composed of leaves of laurel gathered from Valley Forge, from Rocky Hill, and from Bordentown, N. J.—three places that are memorable in the life of Thomas Paine—while the other was made of leaves from the tomb of Washington at Mount Vernon.

At about the same time, the little private cemetery on Hunt's Point, where lies the body of Joseph Rodman Drake, the poet-author of "The American Flag" and "The Culprit Fay," was dedicated as the nucleus of Rodman Drake Park. The poet was born in New York in 1795 and died there in 1820, yet, in his brief life, he succeeded in adding the two immortal lyrics to American literature.

Early in June, the historic Jumel Mansion, on Washington Heights, New York City, was opened, under the auspices of the Daughters of the American Revolution, for the permanent exhibition of pictures, documents, and other relics of historical value—a purpose for which no more suitable place could have been selected. Robert Morris, who built this stately mansion, about

the middle of the eighteenth century, and who married the fair Mary Phillipse, was such a thorough-going Britisher that, on the breaking out of the Revolution, his property was confiscated, and his house became the headquarters of General Washington. It was also the social headquarters in New York, especially after Betsy Bowen married the French merchant Jumel, became his widow, and later on was wedded to Aaron Burr in the cosy tea room where, in the future, the dames and gallants of a bygone age, painted by Copley and Benjamin West, will look down from the walls.

FOOD PRICES IN 1823

Mr. J. R. Stead, of Cincinnati, O., writes :

In reading an old copy of the *Journal of Moses Guest*, I found a reference to food prices in 1823 that may be of interest to some of the readers of *AMERICANA*, especially in view of the present discussion regarding the cost of living. Mr. Guest, who was a resident of Cincinnati, said :

“Markets in this city are abundantly supplied with the best kinds of meats and vegetables. Beef, mutton, and veal sell for from 2 to 4 cents a pound, pork from $1\frac{1}{2}$ to $2\frac{1}{2}$ cents, butter, $12\frac{1}{2}$ to $18\frac{3}{4}$ cents ; cheese, 6 to 8 cents, and eggs, 4 to 10 cents per dozen. Wheat flour costs from \$1.25 to \$1.75 per hundredweight, buckwheat costs the same, cornmeal, $18\frac{3}{4}$ to 25 cents per bushel ; wheat, 45 to 50 cents ; corn $18\frac{3}{4}$ to 25 cents, and oats from $12\frac{1}{2}$ to $18\frac{3}{4}$ cents. Chickens sell for 10 to 25 cents per pair, turkeys for 3 to 4 cents per pound ; potatoes, 25 to 37 cents, and turnips, $18\frac{3}{4}$ to 25 cents per bushel.

WHEN LOUISIANA WAS UNKNOWN

A pamphlet of great interest to students of *AMERICANA* was sold at Sotheby's, in London, recently. It is called : *A Letter to a Member of the P—t of G—t B—n*, occasioned by the privileged [sic] granted by the French King to Mr. Crozat. Printed for J. Baker at the Black-Boy in Paternoster Row, 1713.”

It contains forty-four pages, including a half title, and entirely relates to the then almost unknown country known as Louisiana, the enormous tract of land “bounded by New Mexico, the Eng-

lish land of Carolina, the Ports, Havens, and Rivers of the Isle of Dauphine, heretofore called Massacre; the River St. Louis, heretofore called Mississipy, [sic] from the edges of the sea as far as the Illinois, together with the Rivers St. Philip, heretofore called the Missourys, [sic,] and the St. Jerome, heretofore called Ovabache, with all the countries, territories, lakes within land, and the rivers which fall directly or indirectly in that part of the River St. Louis."

SEVERAL HISTORICAL LETTERS SOLD

Among the letters that were sold during the month of June were several that were of more than ordinary historic interest. One was a letter from George Washington to Nathaniel Greene. It is dated Mount Vernon, May 20, 1785, and expresses very clearly the first president's views on dueling. In part it reads:

My Dear Sir:—After a long and boisterous Passage My Nephew George Auge. Washington returned to this place a few days since, and delivered me your letter of the 25th of April.

Under the state of the case, between you and Capt. Gunn, I give it as my decided opinion that your honor and reputation will not only stand perfectly acquitted for the non-acceptance of his challenge, but that your prudenced judgement would have been condemned for accepting it, because, if a Commanding Officer is amenable to private calls for the discharge of his public duty, he has a dagger always at his breast, and can turn neither to the right nor to the left without meeting its point. In a word he is no longer a free agent in office, as there are few military decisions, which are not offensive to one party or the other.

However just Capt. Gunn's claim upon the public might have been, the mode adopted by him, according to your account, to obtain it was in the last degree dangerous—a precedent of the sort, once established in the Army would no doubt, have been followed, and, in that case, would unquestionably have produced a revolution, but of a very different kind from that which, happily for America, has prevailed.

Among the documents sold in Philadelphia was one which was said to be the only known letter in which Lincoln mentions

by name his formidable political adversary, Stephen A. Douglas. It is dated Springfield, Ill., November 26, 1858, and is addressed to Dr. B. C. Lundy. In it Lincoln writes:

Your kind letter, with enclosure, is received, and for which I thank you. It being my own judgment that the fight must go on, it affords me great pleasure to learn that our friends are nowhere dispirited. There will be another "blow up" in the Democracy. Douglas managed to be supported both as the best instrument to break down and to uphold the slave power. No ingenuity can keep this deception—this double position—up a great while.

A third letter gives the despondent views of Alexander H. Stephens concerning the outlook for the Southern cause. It is addressed to Waddy Thompson, and bears the date of October 7, 1864. Stephens says:

I agree with you as to the naked tendency of things. Indeed I have, for three years and upwards, been of opinion that it was with us simply a question of how much quackery we had strength of Constitution to bear, and still survive; we are not yet exhausted, nor yet by far in articulo mortis—yet everything seems to be tending to that result.

Whether a change will come over the spirit of the dream of those who control our destinies, before the final collapse be upon us, or not, I can not tell. I do not see that I can do anything. I have done all in my power without avail. I am like the great mass of the people, only one of the crew; the fate of all depends upon the helmsman.

AUGUST, 1910

AMERICANA

CONTENTS

	PAGE
The House of Governors. By William George Jordan .	769
Little Wars of the Republic. II. The Earlier Indian Wars. By John R. Meader	782
The Scot in New England and the Maritime Provinces. Part III. By John Calder Gordon	791
An American Refugee. By S. R. Knapp	806
History of the Mormon Church. Chapter XXVI. By Brigham H. Roberts	811
The Bilboes and the Stocks. By Leslie Irving	843
Heraldic Considerations. Symbolization among the Romans. By Viscount de Fronsac	849
Fifty Years a Member of an Historical Society. Address delivered by Samuel Abbott Green	864
Historical Views and Reviews	871

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WILLIAM GEORGE JORDAN

The Father of the House of Governors who has recently
been appointed permanent secretary

AMERICANA

August, 1910

THE HOUSE OF GOVERNORS*

BY WILLIAM GEORGE JORDAN

(The House of Governors, which is now a distinct, if unofficial, institution of our Government, owes its existence to the publication of a pamphlet, from the pen of William George Jordan, which appeared in 1907. Mr. Jordan's idea was based upon the theory that it was necessary for the safety of the nation that the State Executives should organize and meet regularly as a body, that they might use their collective influence to secure uniform laws on vital subjects for the welfare of the entire country. President Roosevelt thought so well of the idea that, twice in 1908, he summoned the Governors to meet him in conference, and while these meetings were productive of little definite result so far as legislation was concerned, they demonstrated the practicability of Mr. Jordan's plan so thoroughly, that the organization of the House of Governors followed, and Mr. Jordan is now Secretary of that body. As the new "third house" is certain to exert great influence in molding public opinion and in shaping the nation's course in the future, the text of the pamphlet which originally suggested the organization, is now reprinted. Eds.).

THE atmosphere of political thought in the nation today is permeated with restless rebellion of protest against the growing centralization at Washington. Rumblings of revolt in the public press are becoming louder and more unmistakable, and political leaders are furbishing the dingy armor of States rights in preparation for battle. The usurping by the government of the lawmaking power of the States is declared to be a forsaking of the great principle of democracy, the rock upon which the fathers founded the Republic.

*Copyright, 1907, by William George Jordan.

The Federal Government, following the spirit of the age, is itself becoming a trust—a great governing trust, crowding out, and threatening openly still further to crowd out, the States, the small jobbers in legislation. As the wealth of the nation is concentrating in the hands of the few, so is the guidance of the destinies of the American people becoming vested in the firm, tense fingers of a small legislative syndicate. The nation soon will be no longer a solid, impregnable pyramid, standing on the broad, firm, safe base of the united action of a united people, but a pyramid dangerously balanced on its apex—the uncertain wisdom of a few.

There is a growing realization percolating through the varied strata of politics down to the man in the street that the new centralization is a menace. It is a menace. It is not in harmony with the spirit of the Constitution, its very essence, though it may be in no technical disaccord with its letter. Had the invasion of the self-governing rights of the States been manifested in evil laws forced into being through a dominated Congress the whole country would have risen to meet the issue at once, but it has come with needed legislation, wise provisions and vital issues, and because of this guise it is all the more dangerous because more insidious. The government of the founders was fraternal; the new government threatens to become paternal.

Were the dictates of any centralized administration inspired with the absolute wisdom of omniscience and executed with the relentless certainty of omnipotence, with every microscopic phase of every act consecrated to the best and highest good of the whole country, it would still be a menace. It is establishing a dangerous precedent—it is placing the self-governing power of the States in pawn with the Federal Government, with the chances of the ticket becoming lost or the interest rate being raised or some other technicality occurring that might make redemption difficult or even impossible. The mantle of infallibility of one administration may not drop serenely on the shoulders of its successor—wisdom, exalted ideals, and broad, unselfish statesmanship are not always hereditary in office.

This centralization has not been the work of one administration. It has been evolving for years. During the present term

it has merely assumed a more vivid, picturesque, startling phase, sufficiently distinct to be portentous, but this centralization is natural and under past conditions inevitable. If there is today Federal usurpation of States rights it is so merely because the States have largely abrogated their rights through disuse—through lack of proper exercise. The States themselves have been to blame. Unless they rouse themselves to immediate action the condition may become irremediable, and America will then be but an autocracy under the false guise of a democracy.

Reference to the constitution will show the privileges the people have been, perhaps unconsciously, surrendering. The Constitution clearly defines the powers of the Federal Government in all its branches. The ninth amendment says: "The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people." The tenth amendment says: "The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively, or to the people." Here was the States' warrant for action, yet corruption and mismanagement had grown brazen, graft flourished, arrogant dominations of trusts became more reckless, illegal aggregations of wealth towered higher in their insolence, bribing of legislators grew more flagrant, patriotism and loyalty were continuously sacrificed on the altar of politics—these and a dozen similar evils, sapping the life of the Republic, were not met by the States when they had the opportunity in their hands.

A few States really did show vitality and virility and earnestly sought to meet the evils, failing to a degree in their efforts by the largeness of their task and the lack of co-operation from their sister States. The situation grew desperate. Then came a Federal administration with nerve, courage and resoluteness, and sought seriously to begin to solve the problem—to save the situation.

If the administration went beyond its rights, if it for a time trespassed on States rights, it was because the States were culpably neglected and inactive. If there is a fire smoking in the hold of an ocean steamer and the captain and crew fold their arms

in complacent inactivity, hoping the fire will die out, it is the duty of the passengers or any of them to head and organize a bucket corps to stifle the flames. But when it is all over and the captain and crew waken to the realization of their dereliction and learn their lesson they would be foolish to let this emergency corps run the ship. Have the States learned their lesson and awakened to their duty or will they continue to let centralization govern the ship of States?

The trusts for years had been growing more colossal, aggressive, and law-defying. The press of the nation chronicled the details, kept hammering at real evils, seeking to rouse legislation. The people talked of it with a sense of abject hopelessness as if an earthquake were coming and they saw no escape. There was unending talk as monotonous as a phonograph, with practically as little results. The States as a whole did little or nothing. Then the Government passed the Anti-Trust Law, the thin edge of the wedge of broadening legislation.

The iniquitous rebates of the railroads, that forced thousands of small dealers into bankruptcy and restrained commerce and the natural development of individual interests, continued for decades practically, if not actually, untouched by the hand of State law. The States could have met the evil, partially at least, but they did nothing. Then the Government passed the rate bill.

Grasping capital, holding nothing sacred, not even the food of babes, carried adulteration and food poisoning to a point where it seemed that the only way to live was to give up eating. The newspapers exposed it, the magazines exploited it, scientists lectured on it, societies were formed to fight it, but the States waited—for the Federal Government to pass the Pure Food Law.

The President and the Secretary of State have declared repeatedly that the States are not able to unite in the making of laws on questions of national importance and that, therefore, the power to make these laws must become vested in the Federal Government. With all due deference, however, may it not be asked whether the failure of the States to make uniform legislation has not been due to the lack of any method of the States to get together in conference as States? Were this provided

wherein is it impossible for the States themselves to handle this legislation? That there are difficulties is self-evident; that these difficulties are insurmountable is open to question. Should not any plan that has within it a germ of hope be tried, if the trying imply no danger to the fullest safety of the Union, before we hopelessly accept as a finality the imputation that the States are no longer fit for self-government? Secretary Root not only says that "these things the States no longer do adequately," but also that "they (the States) are no longer capable of adequately performing." The Honorable Secretary conjugates the impotence of the States in the present and the future tense.

There does seem to be one simple, practicable method yet untried which the writer desires here to propose—one that is in such perfect harmony with the letter and the spirit of the Constitution that it would require no constitutional amendment; one that might not even require (for an initial trial, at least) legislative action in any State; one that upsets no established order in the conduct of the nation; one that would bring the States into closer unity and harmony without lessening in any degree loyalty and allegiance to the Federal Government; in short, a plan that if worked out successfully in practice would put the rights of the States on a firm, recognized basis and make centralization forever an impossibility in the American Republic. The plan which I wish here humbly and respectfully to present to the leaders in the political activities of the country, to our Governors and legislators, and to the American press and public, is the organization of the House of Governors.

It is proposed that the Governors of the forty-five States meet annually for a session of two to three weeks to discuss, consult and confer on vital questions affecting the welfare of the States, the unifying of State laws and the closer unity of the States as a nation. The House of Governors would have no lawmaking power, nor should it ever aspire to such power. Its force would be in initiative, in inspiration and in influence. The Governors would seek to unite on a general basis of action on great questions to be submitted to the legislatures of the respective States in the Governors' messages. It would seem that an august, dig-

nified body of forty-five *Governors, representing their States, with the lawmaking power of forty-five legislatures behind them, should in time become an inherent part in the American idea of self-government and a powerful factor for good in the nation.

This brief statement covers the broad lines of the suggestion and for it we ask consideration in connection with the amplification and detail of the thought that follows this outline.

In the Congress of the United States, the Senators, chosen as they are by the State legislatures, nominally represent their States, but not the people of their States, for the latter have no direct voice in their selection. The members of the House of Representatives do not represent their States, but simply districts of their States.

With ties to their constituents and with duties and obligations to them they may in theory have the interest of the entire State as a matter of paramount importance in their hearts, but in fact they never lose sight of the family of value in the Congressional district. The Governor of the State, however, is elected by the people, is directly responsible to the people, and is in constant touch with the people, keeping his fingers close-pressed on the pulse of their needs and problems. The voice of the Governors, therefore, in the proposed new house means a new, direct, vital representation of the people in the affairs of the State, and in the harmony of the States making up the nation, such as the people have never yet had in the life of the Republic.

On many great questions it is difficult to secure national legislation, and on others it is impossible to secure it without constitutional amendment. Today we have no national holiday legalized by Congress for the States—not even the Fourth of July, Thanksgiving Day or Christmas—yet by the action of the separate States these days are universally observed. They are national in scope, but not national in genesis; so if the legislatures of the forty-five States, working together through the House of Governors for uniform laws, should pass the same law the practical effect of a national law would be secured without Federal action.

In the House of Governors no majority vote should be binding

*Written in 1907.

on the minority. Should even forty-four members of the House in full session agree, the one member not concurring should have absolute freedom of action and he or his successor would probably join the majority side at the next session of the House. The House should determine by vote the ratio of the members present that is to be considered the minimum requisite for the initial impulse for action toward uniform State legislation throughout the country on the specific question. Should the number of votes be below the ratio set as a basis of unity the matter could go over to the next session for reconsideration.

If on the subject of, let us say, divorce, twenty-five members of the House were to agree on a general plan, the twenty-five Governors thus concurring would suggest to their respective legislatures in their ensuing messages the passage of a bill in accordance with the recommendation. The legislatures, of course, would have absolute freedom to pass it or not as they deemed best, but the recommendation would have a greater dynamic effect and a stronger moral influence when each legislature knows that twenty-four other legislatures are considering the same proposed law. Let us assume that of the twenty-five States eighteen passed this bill, in the other seven, were public sentiment sufficiently aroused and the people sufficiently united, this question might be made an issue in the next campaign and those legislators elected who would be pledged to carry through the bill.

At the next meeting of the House, with the prestige of the adoption of the law by eighteen States, ten new converts might be made among the Governors non-concurring in the first session, and so in the course of a few sessions we might have uniform State legislation on this vital problem without Federal action. A law thus finally passed by all of the States would more truly represent the sentiment of the American people than any law passed by the Federal Government, even if constitutional amendment or new revised interpretation of the Constitution empowered the passing of the law.

The annual meeting of such an able deliberative body as the House of Governors would receive careful attention from the press of the country. Every State being represented by its Gov-

error, and the problems discussed being vital ones, there would be secured throughout the country simultaneous consideration of the questions before the House, a thorough, practical ventilation of the subjects and a general study of the proposed remedies. Vague diffused public opinion, through the influence of the House of Governors, would be crystalized into public sentiment, and this sentiment, the people's voice, could compel legislation.

The general opinion of the people of this country today, it would seem, is against capital punishment—a sad relic of primitive barbarism still persisting with war in this vaunted twentieth century civilization—yet there is no method today by which this unexpressed public opinion can be vitalized, transmuted into public sentiment manifesting itself in uniform State laws, yet the House of Governors might accomplish it as part of the work of a single session.

The lack of uniformity in State legislation today is so clearly recognized as an evil in our political system that further details in this article seem unnecessary. Any plan that even faintly foreshadows the possibility of bringing order out of this chaos of complexity and contradiction would seem worthy of really serious consideration.

The House of Governors seems to offer no chance for graft, collusion, combination, pairing off, the working of private interests, bribery, jobbery, corruption or any of the other diseases to which legislative bodies are liable. This immunity arises from the non-lawmaking character of the House. It is said to be easier to buy State legislatures than to purchase Federal action or Federal inactivity. The House would thus have the dignity, character and poise of the Federal Government. The Governors here would be subject to no pressure, they would not be likely to be carried off their feet by the whirlwind eloquence of one of their members advocating some Utopian scheme or some trust measure masquerading as a plan of public benevolence. But even if temporarily captivated they would probably cool on reflection, and there is no chance of the gold-brick fallacy proposed being able to stand the acid test of wide public discussion

by press and people and to pass the safeguarding process of forty-five legislators.

It seems advisable that the meetings of the House of Governors should be annual, though the sessions of State legislators are annual in only six of the States, while quadrennial in one and biennial in thirty-eight. In 1907 only six States have legislative sessions, but in 1908 forty-one States—or all but Alabama, Oregon, Virginia and Wyoming—hold sessions. Were the House of Governors to meet during the present year a splendid test of the value of their session could be made in January, 1908, all the forty-one State legislatures then meeting, except Florida (April), Louisiana (May), Georgia (June) and Vermont (October).

It may be objected that the Governors could not spare time away from their official duties to attend sessions of the House, but as their bodily presence at home is not necessary except when the Legislature meets, this objection is more theoretic than real, and the State could for a term of two or three weeks be left to the Lieutenant-Governor or to the Secretary of State as Acting Governor.

The place of meeting of the House of Governors should not be in Washington, D. C. (except possibly its first session), but successively in State capitals selected by vote of the House or by the decision of a committee, and giving the honor of the session successively to States in rotation on a general plan of choice, selecting for the first year perhaps an Eastern State, the following year a Western State, then a Northern, then a Southern and last a Central State, repeating the order of choice till the forty-five (Oklahoma, the forty-sixth, not having been officially admitted to the Union at this writing), shall have been recognized.

The date of the session should be at a season that would avoid the time of the sitting of the State legislatures and the months directly preceding the November elections. The cost of the meetings of the House of Governors should be little more to each State than the traveling and other necessary personal expenses of its Governor for the brief period of the session. Any State selected for an annual meeting would gladly provide

its legislative assembly room for the meetings of the House, with accommodations therein for visitors (perhaps by invitation) and press representatives at the daily sessions. The force of door-keepers, pages, stenographers and others needed for the brief term should be but a slight tax on the hospitality of the State.

In order that the members of the House of Governors should be fully informed in advance of the topics to be discussed and to save valuable time for the session it is suggested that it shall be the duty of the chairman of the House or of the committee appointed therefor to invite the members, say four months before the session, to send in lists of suggestions of vital topics for consideration. These lists when received from all Governors would be tabulated in the order of their importance and submitted as candidates of topics. The Governors would then mark a given number of subjects, a number in excess of those likely to be covered during the session, and from these lists of preferences returned to the chairman, or committee, the resultant official list of elected subjects would then be sent to each member, thus giving him time for thoughtful preparation for the session, and enable the House to take up its program of work, with no loss of time, immediately after electing the necessary officers.

Among the subjects of vital interest to the entire country and on which free discussion tending toward uniform legislation is desirable may be named: marriage and divorce, rights of married women, corporations and trusts, insurance, child labor, capital punishment, direct primaries, convict labor, prison reform, contracts, uniform system of conveyancing, inheritance tax, income tax, mortgages, referendum, election reforms and similar topics. The House of Governors might have a consulting board of legal advisers, specialists in constitutional law and Federal and State legislation, if such counsel were needed.

On every important question brought before the House it would be found that some one or two States had progressed further than others in some direction. Each State working out its own problem has to a degree specialized, as Oregon with its referendum, by which the people direct their legislators and by which party machines have been abolished. Those States that

have partially solved great problems in self-government have valuable material in the form of documents, reports, discussions, blue books, records, etc., giving in concrete form the results of their experiments and experiences which would be inspiring to Governors desiring to look into these questions with the fullest light possible at the psychologic moment of deep personal interest.

We have, annually, conventions of educators, of lawyers, of ministers, of doctors, of scientists and of members of every profession, trade and industry, meeting to become acquainted, to confer on matters of common interest and to strike the fire of new wisdom or inspiration from mutual contact, yet two State Governors may never meet except accidentally or incidentally at some dinner or political gathering. The newspapers report even these meetings only because of the opportunity they afford to spring again on the public a worn-out epigrammatic colloquy between two Southern Governors on the subject of thirst.

The Congress of the United States would in nowise be disturbed in its normal work as marked out for it by the Constitution by the institution of the House of Governors. There need be no conflict between Congress and the new House, for the States, quietly working out their own problems by the light of their united wisdom, could not trespass on the specific legislation left by the Constitution to the sole and absolute charge of the Federal Government.

The House of Governors, even if it were merely a meeting-place for the heads of our State governments, would be of value, but with regular conferences on the broad basis of mutual helpfulness in the unifying of our laws and of combined action in staying the insidious invasion of centralized government, with the sympathy and co-operation of the people of the country and with the lawmaking powers of the State legislatures led into harmony, shamed into activity, or forced to do the people's will, the House of Governors, it would seem, should become in a few years a mighty force in the American Government. It should give the people greater power, strengthen the States by granting them fuller liberty, unite and unify them more perfectly and make the united States more truly the United States.

We need in our country today less politics and more statesmanship, less party and more patriotism. We need an awakening to higher ideals. We need a higher conception of America's place and destiny in the evolution of the world. We need something nobler as a purpose than our self-satisfied complacency at the material prosperity of the nation, for there is a moral and ethical success that is never rung up on a cash-register. We need the scourging of the money changers out of the temple of legislation—State and national. We need a purifying and ennobling of the body politic. We need the clear clarion voice of a great inspiration to rouse the States to their duty—not the gilded phrases of mere rhetoric, but the honest eloquence of a high and exalted purpose like that ringing speech of Patrick Henry's, a century and a quarter ago, which breathes the very spirit of the present hour of need when it is said that the States are too weak to do their duty and must surrender to government centralization:—

“They tell us that we are weak, unable to cope with so formidable an adversary. But when will we be stronger? Will it be the next week or the next year? Shall we gather strength by irresolution and inaction? Shall we acquire the means of effectual resistance by lying supinely on our backs and hugging the delusive phantom of hope until our enemies shall have bound us hand and foot? Sir, we are not weak if we make a proper use of those means which the God of nature has put into our power.”

Whatever tends to lessen the right of the American people to be absolutely self-governing, whatever tends to take from eighty million people their privileges and to hypothecate them in the hands of a few, is a menace in principle, hazardous in what it portends and in what it makes possible.

The plan of the House of Governors is simple, seemingly feasible, cannot possibly do harm and may have within it the germ of great good. Is it not worth a trial?

THE FUTURE OF THE HOUSE OF GOVERNORS

A STATEMENT PREPARED ESPECIALLY FOR AMERICANA

BY WILLIAM GEORGE JORDAN

WE can only forecast the future of the House of Governors, by projecting its plan and theory of operation into the field of attainment, by assuming it will accomplish the full purpose for which it was designed. It will awaken the States to the realization of powers, possibilities, and privileges they have neglected and inspire them with new courage and confidence in solving their individual and inter-state problems by their united wisdom transmitted into united action and manifest in uniform law. It will strengthen State pride and bring forth a freer, fuller voice of the people, making their rule an actuality not a mere hope. It will in raising the dignity of Statehood, add new power and prestige to the position of State Executive, strengthen his arm for the finer, freer performance of his duties. Under its influence the power of political machines will be lessened.

It will draw a clear sharp line of demarcation between Federal and State powers and duties, relieve the government at Washington of many problems that really do not belong to it, but which it has been struggling hopelessly for years. Thus free from embarrassing questions that are not national under the Constitution but omni-statal, the government can work with greater concentration, force and unity on the specific questions it was designed to meet, to handle and to control.

It will reveal the Constitution not as a dead-letter document, but a living, pulsing charter, changeable not by the people's whim, but the people's will in a united initiative of amendment through the House of Governors while eliminating nine-tenths of the need of amendments will furnish a new untried and simple method of securing the few amendments that may be needed. It will carry the fresh blood of a new inspiration down to the cities, towns and villages, make them more vital factors in the States, strengthen the States as individuals, unify them in a finer union and make the United States truly the States-united.

LITTLE WARS OF THE REPUBLIC

BY JOHN R. MEADER

II.—The Early Indian Wars

THAT the Indian troubles in the latter part of the eighteenth century were directly traceable to British influence there cannot be the shadow of doubt. Under the treaty of 1783 the English agreed to withdraw their forces from American territory, but it was soon evident that this agreement was not to be carried out. The frontier posts especially were not evacuated with the promptness that should have been expected, and as the soldiers who had failed to surrender still maintained communication with their Indian allies, it was no difficult matter for them to sow the seed of discontent in the hearts of the red men. One argument that they used to incite the spirit of unrest was to the effect that the treaty rights of the Americans did not extend beyond the Ohio River, and that, accordingly, every white man who went west of that boundary was a trespasser upon Indian lands.

Whatever right the Indians may originally have had in the far western territory, Congress insisted that their claims had been forfeited by the part that they had taken against the colonists in the Revolutionary War, and this position was steadily maintained. Between 1783 and 1790, five treaties were made with the red men upon this ground, but several of the more powerful tribes, notably the Kickapoos, the Pottawattamies, the Miamis, the Weas, and the Eel River tribes, consistently refused to enter into such a treaty, declaring that "the Ohio should be the southern boundary between the Long Knives and the red men and over that river no settler should ever cross and live."

It is not agreeable to feel that it was English officers who were guilty of inspiring the attacks of the Indians upon the

practically defenseless settlers who had so innocently attempted to carry civilization into the western wilderness, but, as will be seen, the evidence was so conclusive that they were never able to clear themselves of the charge of encouraging the most cruel warfare in direct violation of every sentiment of humanity to say nothing of the treaty conditions. Men working in the fields were slain; if a man attempted to make a clearing, he was shot from ambush; entire villages were plundered and burned, all the inhabitants being killed, or taken prisoners, and frequently whole boatloads of men were attacked while crossing the Ohio, and, after being murdered, the bodies were sent adrift as a warning to other prospective settlers.

Naturally the complaints to the government were many, and when it became apparent that the governor of the territory west of the Ohio, General Arthur St. Clair, was unable to cope with the situation, petitions praying for assistance were sent to General Washington and other Federal officials. Thus, in 1790, Judge Harry Innis wrote to the Secretary of War that, to his personal knowledge, more than fifteen hundred persons had been killed or captured near the Ohio River since 1783, and he insisted that something be done to make the settlement of the country possible. Accordingly, in 1790, Governor St. Clair delegated Antoine Gamelin to visit the Indians and ascertain, if possible, how peace might be obtained.

There is a great difference of opinion as to the wisdom of the Governor's selection of Gamelin as his official representative. He was merely an Indian trader—a man who was rough and blunt in his demeanor—yet there seems to be good evidence that he possessed the confidence of the red men, and it is probable that he did quite as well as a more diplomatic envoy could have done. At least, there is reason to believe that he told the truth when he reported that while the older people were quite willing to talk peace, the young men were not so pacific in disposition.

The chief of the Kickapoos, Gamelin reported, was very frank in his statements concerning the situation. "You ask me to stop our young men," he said. "It is impossible to do so, being constantly encouraged by the British." Other leaders among the red men made practically the same assertion, all agreeing

that they could enter into no further treaties until they had discussed the matter with the English officers at Detroit.

Finding that peace was hopeless, Congress authorized Governor St. Clair to call for fifteen hundred militiamen—1,000 from Kentucky and 500 from Pennsylvania—and this force was further increased by the addition of a regiment of 400 regulars under the command of General Harmar.

McMaster's description of this force, that had been so irregularly gotten together, leaves little to be imagined. "Never before had such a collection of men been dignified with the name of army," he said. "The crowd of discarded, unjust sewing men and revolted tapsters that followed Falstaff to the field of Shrewsbury would have put it to shame. In place of trappers and hunters, woodsmen accustomed to bearing arms, to enduring fatigue, and skilled in all the arts of Indian fighting, came old men who ought never to have quitted the chimney-corner, and striplings who had never raised a beard. Some had guns without locks. Some had locks and barrels without stocks. Some had no weapons at all. Nor were those who had much better off, for the officers complained bitterly that half of them were too ignorant to take off a lock to oil it, or put in a flint so as to be of use."

This strange army, with General Harmar at its head, started upon its campaign on October 1, 1790. Passing up the valley of the Little Miami, several deserted Indian villages were found. Here the troops spent some time in girdling trees and destroying the growing corn, that the winter supply might be cut off. They then marched westward, crossing the Great Miami at Piqua, and then northwesterly towards Girty's Town, which was located near the present site of Ft. Wayne, Ind. Here, too, the Indians had been warned of the enemy's approach, and had left.

On October 4, General Harmar assigned Colonel Hardin to go with 150 militiamen and thirty regulars and destroy an Indian town on the banks of the St. Mary's River. For some distance they progressed without seeing any evidence of the Indians, but suddenly they marched directly into an ambushade, and, before they had time to prepare their arms, the red men

fired upon them. Instantly the militiamen broke ranks and fled in all directions. The regulars alone stood their ground, fighting with their bayonets as their only arms until all but four men, two officers and two privates, had been killed.

However questionable Colonel Hardin's qualifications as an Indian fighter may have been, no doubt can be raised as to his courage. He was a brave officer and his failures in the Indian campaign were due to the fact that he was utterly unfamiliar with their methods of fighting. From every indication, General Harmar was quite as ignorant as his subordinate officers, for otherwise he would not have been so ready to listen to Colonel Hardin's plea for a chance to redeem himself. As it was, however, the colonel was again placed in command of another force—consisting of 600 militiamen and sixty regulars—but the first defeat was repeated. This time the red men pretended to retreat, part of them falling back across the Maumee, but enough were left in ambush to attack Hardin's little army with most disastrous results. One hundred and eighty-three were killed and forty wounded, only eight regulars being left, while the losses of the Indians were less than fifty men. For these exhibitions of military incompetence both General Harmar and Colonel Hardin were court martialed, but their trial resulted in acquittal.

In the Spring of the following year, General Charles Scott, with a brigade of mounted riflemen, conducted a brief campaign against the Indians, destroying several villages on the Wabash and Eel Rivers, and killing a number of red men. They returned in June without having lost a man. A few weeks later Colonel Wilkinson led another force into the Ohio River territory with similar success. The American forces were so small, however, and their influence so limited, that the Indians paid but little heed to them, but still persisted in the belief that the white men were cowards who could not, or would not, fight, and that they with their bravery and peculiar methods of warfare, were more than a match for any army that the government could bring against them. Imbued with this spirit, they slaughtered the white settlers wherever they could reach them, their outrages culminating in the Big Bottom massacre.

Realizing the futility of attempting to settle the new country under existing conditions, General St. Clair visited President Washington and persuaded him to authorize another expedition against the Indians. In this instance, General Washington, who had been deeply mortified by the disastrous results of the previous campaign, took occasion to warn the Governor of the dangers of Indian warfare.

"You have your instructions from the Secretary of War," he said, as they parted. "I had a strict eye to them, and will add but one word—Beware of a surprise! You know how the Indians fight. I repeat it—Beware of a surprise!"

As an old friend, a comrade in arms, a trusted and efficient officer during the Revolution, General Washington had entire confidence in the ability of General St. Clair to avenge the insults that the Indians had forced upon the American flag. But, for once at least, his confidence was misplaced. St. Clair, no more than General Harmar, was capable of leading a force to fight with Indians, for on November 4, before sunrise, he was surprised by an army led by Blue Jacket, Little Turtle, and Simon Girty. The Indians fell upon the camp, and threw it into such confusion that the retreat of the army of the white man degenerated into a disgraceful rout. The artillery was silent; scarcely a shot was fired, except here and there where individual soldiers had succeeded in loading a gun, and those who did not run were killed in their tracks.

St. Clair, who had been so ill for several days that he had felt unable to leave his tent, attempted to rally the troops. Every horse that he mounted was shot beneath him, and his hat and clothing were riddled and ripped by bullets. At last, he felt compelled to order the few remaining soldiers to retreat, and for many miles the Indians chased them over a path actually littered with hats, coats, guns, bayonets, boots and powder horns. Of an army consisting of some 2,900 men—2,300 regulars and 600 militiamen—fully 650 were reported killed or missing, while the rest of the regiments were so thoroughly disorganized that it was useless to plan a continuance of the expedition. Everywhere in the west settlers were horrified at the result of the campaign which they believed would end their

troubles, and from all parts of the country—even from Western Pennsylvania—petitions for protection were sent to Congress.

The ghastly story of the defeat was brought to Washington while he was entertaining guests at dinner. As the messenger refused to convey his message to any persons but the commander-in-chief, the President left the dining-room to talk with him, and when he returned, no one suspected that the information had been of a disagreeable character. When the guests had departed, and he was alone with his secretary, Mr. Lear, the storm burst.

It is Rush who tells the story—how the President paced the room with hurried strides, walking backward and forward, beating his forehead in a paroxysm of anguish.

“It’s all over!” he cried. “St. Clair’s defeated—routed; the officers nearly all killed—the men by wholesale—the rout complete! too shocking to think of—and a *surprise* in the bargain!”

He uttered his words with great vehemence, still pacing the room in his agitation.

“Yes, sir! Here, in this very room,” he continued, “*on this very spot*—I took leave of him; I wished him success and honor! ‘Beware of a surprise!’ I said, ‘You know how the Indians fight us!’ He went off with that—my last solemn warning—in his ears. And, yet to suffer that army to be cut to pieces, hacked by a surprise—the very thing I guarded him against! O God! O God! he’s worse than a murderer! How can he answer it to his country? The blood of the slain is upon him—the curse of widows and orphans—the curse of heaven!”

It is believed that Washington’s wrath at reading St. Clair’s report, was greater than he had ever shown, except perhaps when confronting Lee, at the time of the latter’s retreat, at the battle of Monmouth. “It was awful!” said Mr. Lear, but gradually he began to grow calmer—his anger commenced to subside. “He seemed conscious of his passion, and uncomfortable at having shown it.” At last he spoke, in a different tone:

“This must not go beyond this room,” he said. “General St. Clair shall have justice. I looked hastily through the dispatches—saw the whole disaster, but not all the particulars.

I will hear him without prejudice; he shall have full justice. Yea, long, faithful, and meritorious services have their claims."

And, President Washington kept his promise. St. Claire was criticised and insulted. The people clamored for a victim—demanded that an example be made of him—but Washington insisted that all the evidence should be heard by a Congressional Committee. It was such a committee that found him guiltless and he returned, to resume his duties as Governor of the Northwest Territory, a position which he continued to hold for many years.

Every effort was made to win over the Indians, rather than again resort to force, but the red men treated the overtures with scorn. Simon Girty, the renegade, swore to "raise all hell to prevent peace," and Joseph Brant, the half-bred Mohawk, who had been private secretary to Sir Guy Johnson during the latter's term as General Superintendent of the Indians, cast his great influence against any American's tender of peace that did not provide for the immediate removal of all white settlers from lands north of the Ohio. In this position the Indians were supported, both by the English and the Spaniards, for Spain also added her note to the general effort to prevent a settlement of affairs between the red man and the new republic.

Seeing that the avoidance of bloodshed was no longer possible, Congress, in 1792, authorized another expedition against the Indians, and this time it was the efficient and popular Revolutionary chieftain, "Mad Anthony" Wayne who was given supreme command in the West with power to enlist three additional regiments of infantry and 2,000 dragoons for the term of three years. Although he began to recruit his men early in 1793, it was in the Fall before his force was ready to march, the start being made from Cincinnati in October. Whatever mistakes other commanders had made, General Wayne was determined to enter the campaign with a properly drilled and properly equipped force. Even St. Clair had been robbed by the agents who supplied his equipment, and had gone to the front with many useless muskets and powder that would not burn, but none of these things happened to "Mad Anthony" Wayne's army. He tried and tested everything, and when, in

the Spring of 1794, he left Greenville, where he had spent the winter, he had a creditable force with which to attack the enemy.

As the Indians had been fully warned of the preparation for the new expedition, they, too, began early to prepare for the struggle, for a struggle to the death they knew it was to be. From every tribe in the North and West recruits were secured, and, under instruction from British as well as native tutors, they studied the arts of war.

The first skirmish between General Wayne's army and the red men occurred on June 30, when a large body of Indians, assisted by whites with painted faces, attempted to surprise the Americans. For once their wiles failed, and when the fighting ended, on July 1, the Indians had been punished rather severely although the losses to the Americans were but twenty-five killed and thirty wounded.

In spite of the fact that General Wayne knew that he was about to be re-enforced by the arrival of 1,600 mounted riflemen from Kentucky, under the command of the veteran General Scott, he again offered the red men peace, if they would sign a treaty. At their evasion of this proposition, however, he determined that he would teach the Indians such a lesson as would not soon be forgotten. So, later in July, he set out for the Au Glaize section, marching, as one historian reports, "with open files, to secure quickness in forming a line in thick woods or prolonging the flank. He kept his army together, and always halted in the middle of the afternoon, encamped in a hollow square, surrounded with a rampart of logs." In his march, he stayed long enough at several important points to build forts and, when they had been equipped, he left men enough to defend them, and pushed on towards the rapids of the Maumee, where the united tribes of Indians were awaiting him.

On August 16, General Wayne was met by the messenger whom he had sent to confer with the Indians, and though the latter brought the information that the red men would agree to "consider the matter of peace or war more seriously" if he would wait ten days at Au Glaize, he pressed forward without

further delay, arriving at the rapids on the 18th. The 19th was spent in erecting breastworks for the protection of the baggage and supplies, and, at 8 o'clock on the morning of August 20, the American army advanced in three columns and found the Indians and their Canadian allies formed in three lines, their left resting on the river, their right extending nearly two miles to the dense woods. A picked battalion of mounted sharpshooters under the command of Major Price, preceded the American legion to draw the fire of the enemy, in case they desired to fire, for General Wayne hoped, to the last moment, that they would determine to sign the peace treaty in preference to war.

The moment Major Price's corps came within reach of the Indians, however, they opened fire, and the attack was so severe as to compel them to retreat. Immediately the legion was formed in two lines, and while the cavalry attempted to turn the enemy's flank, the infantry advanced with trailing arms against the center, rousing them with their bayonets and pouring such a volley into them as they turned that they were soon in retreat—a retreat that was impetuously forced until the fugitive took refuge under the protection of the British guns at Fort Maumee. The American loss was forty-three killed and about one hundred wounded. The loss of the Indians and British is unknown, although General Wayne estimated that it was greater than that incurred by the Federal army during the entire Revolutionary War. Certainly it was great enough to discourage further hostilities on the part of the red man, and it was followed, on August 3, 1795, by the treaty at Fort Greenville, by which the Indians not only promised a permanent peace with the "Thirteen Fires," but also ceded a large tract of land to the United States. It was this settlement of hostilities that made further immigration to the West possible.

THE SCOT IN NEW ENGLAND

BY JOHN CALDER GORDON

CHAPTER III

ALEXANDER'S PLAN OF COLONIZATION

In the year 1624 Sir William Alexander wrote and published in London the first work in the English language on colonization entitled "An Encouragement to Colonies," setting forth the benefits of emigration and colonization. In this book he traced the history of colonization from the days of Noah through the Phenicians, Greeks and Romans to the then modern times. The discovery of America, he maintained, "was a call of Providence to Britain to extend her boundaries by occupying the new country." He commends Spanish enterprise as manifested in transatlantic colonization. He celebrated King James' energy in suppressing rebellion and restoring tranquility in Ireland and expressed the hope that dignity of his throne would be further maintained by the plantation of New Scotland. He urged the glory of colonists carrying into unexplored regions the "civilizing influence of British culture and the elevating doctrines of the Christian faith." He wrote in glowing terms on the resources of the land and the great opportunity offered.

"When I consider," says Alexander, "with myself what things are necessary for a plantation, I cannot but be confident that my own countrymen are as fit for such a purpose as any men in the world, having daring minds that upon any probable appearances do despise danger, and bodies able to endure as much as the height of their minds can undertake. I never remember anything with more admiration than America, considering how it hath pleased the Lord to lock it up so long amidst the depths, concealing it from the curiosity of the ancients that it might be considered in fit time for their posterity."

“Where,” he further argued, “was ever ambition baited with greater hopes than here, or wherever has virtue so large a field to reap the fruits of glory, since any man who doth go thither of good quality, able at first to transport a hundred persons with him, furnished with things necessary shall have as much bounds as may serve for a great Man, whereupon he may build a town of his own giving it what form or name he will, and being the first Founder of a new estate, which a pleasing industry may quickly bring to a perfection, may leave a fair inheritance to his posterity, who shall claim unto him as the author of their nobility there, rather than to any of his ancestors that had preceded him, though never so nobly born elsewhere.”

The first edition of this work was dedicated to the Most Excellent Prince Charles. Six years later, in 1630, a new edition of this work was issued with the name and comprehensive title of “The Map and Description of New Scotland, together with a Discourse of Plantations and Colonies, etc.”

Sir William Vaughan, LL.D., Oxford, a poet and elegant scholar, much interested in American colonization and more particularly the founding of a colony in Newfoundland, a friend of Alexander, published in London in 1626 a pamphlet entitled “The Golden Fleece,” devoted to his colonization interest in Newfoundland and in which he gives a long interview verbatim with Alexander on the subject of colonization. Speaking of Sir William Alexander, Dr. Vaughan says: “This learned knight with a joyful countenance and alacrity of mind taking me by the hand thus began: ‘I have oftentimes wished to confer with you, but until this present I could not find the opportunity. It is necessary, and this necessity jumps with the sympathy of our constellations (for I think we were born under the same horoscope,) that we advise and devise some project for the proceedings and successful managing of our plantations. As you obtained a patent of the southermost part of Newfoundland and transplanted thither some of your countrymen of Wales, baptizing the same by the name of Cambrioll, so have I got a patent of the neighboring country (mainland) unto yours westward, christening it New Scotland. You have spent much, and so have I in advancing these hopeful adventures. But as yet neither of us

has arrived at the haven of our expectations. Only, like a wary politician, you suspend your breath for a time, until you repair your losses sustained by some of Sir Walter Raleigh's company in their return from Guiana, while your neighbors, the Right Honorable, the Lord Viscount Falkland, and my Lord Baltimore, to whom you assigned the northerly part of your grant, do undergo the whole burden, supporting it with grave resolution, and a great deal of expense, which otherwise you were obliged to perform. The like inconveniences I have felt, even in the infancy of my attempt, whether the effect proceeded through the late season of the year, when we set out the colony or by the slowness of our people who, wearied in their hard passage at sea, by reason of contrary winds, rested themselves too long at St. John's harbor, and at my Lord Baltimore's plantation Ferryland. I know not, but sure I am, it cost me and my friends very dear, and brought us into much decrements and hath well-nigh disheartened my poor country men, if, at my humble suit, our most noble and generous King Charles had not, out of his royal magnificence and respective care for us and our posterity, restored and revived our courages, by conferring such monies as might arise by the creation of Knights Baronets in Scotland, towards the erecting of this fabric and heroical action. And yet I fear all this will not suffice and defray the charge. In such abundance doth my native country of Scotland overswarm with people, that, if new habitations be not suddenly provided for them, as hives for bees, they must either miscarry of want, or turn drones unprofitable to their owners as you well remember in your poetical works which you termed "*Cambreusium Caroleia*."

"We need not complain, with our Saviour in the Gospel, that the harvest is great and the laborers few, for we have many laborers who would willingly manure this maiden soil, and with the painful sweat of their brows, reap what they sewed. But the charge of transporting them, with such implements and domestic cattle, as must be had at the first, cannot but grow to an excessive cost. To expect more help than it pleased our Most Bountiful King already to bestow upon us, will be in vain, I doubt, considering the scarcity of money in these days, which not only in Scotland but likewise in all his majesty's dominions

do affirm to be true. The native and genuine salt of the earth, which fructified our corn fields with so many infinite plowings of our ancestors, and ours, is spent, nor will Lime or Marle ever recover them to the pristine and ancient vigor and fertility. English cloth, which heretofore was dignified with the title of the Golden Fleece grows out of request, yea (and with inward grief I speak it) in contempt also among the owners and inhabitants themselves. Our tin, lead, and coal mines begin to fail. Our woods which nature produced, and our fathers left us for firing, for repairing of decayed houses, plows and ships are lately wasted by the covetousness of a few Iron Masters. What then remains in this famous isle? Except we relieve our wants by navigation, and these must be by fishing by hook or crook, by letters of mart, by way of reprisals or revenge, or else by traffic and commerce with other nations besides Spaniards. I would we could invest and hit upon some profitable means for the settling of these glorious lands beyond sea, where it seems the divine providence hath elected us as instruments under our earthly sovereign."

Shortly after the publication of Alexander's book, and upon his recommendation, a royal letter was issued informing the Privy Council of Scotland that the king had resolved to make the colonization of New Scotland his own peculiar interest and in connection therewith to establish a new order of Knights Baronets, to be known as the Baronets of Nova Scotia, and inviting the heads of the leading Scottish families to apply for these baronetcies and participate in the work of colonization. The chief purpose of the creation of this order of baronets was to further the plan of colonization and to interest men of means and influence in it. The title, together with a grant of land of 18 square miles in Nova Scotia, was sold for a stated consideration, the money being paid to Alexander and the proceeds used in the exploitation of the general enterprise. Of these knights baronets one hundred and ten were created, thirty-four of whom had their estates in what is now New Brunswick, twenty-four in Cape Breton, and the remainder in Nova Scotia proper.

On the 17th of Nov., 1629, the king by royal mandate urged "contractors for baronets" to proceed with their work dili-

gently, "so that the next supply" for New Scotland "may go out in time." On the same day the Scottish Privy Council were instructed by royal letter that His Majesty was pleased to "authorize and allow the lieutenant and baronettis everie one of them and thare heirs male to weare a carfe about their neckis, in all coming time," consisting of "ane orange tauney silk ribbane, whereon shall hing pendant in a Scoutcheon argent, a soltaire, azeier, thereon one inscutcheune of the Armes of Scotland, with ane imperiall crowne above the Scutchone, and encircled with this motto: 'Fax Mentis Honestae Gloria.' " This was to be proclaimed publicly at the market cross of Edinburgh, and in the same documnet there was a threat of fine and imprisonment to any person who should "out of neglect or contempt, presume to take place of precedence of the said baronettes, thare wifes or children, or to wear there decorations."

Tracy in his Tercentenary History of Canada states that "these titles have been preserved, and many of the descendants of those noblemen are found in Canada and the United States." Nearly fifty of the baronets of Great Britain today hold their titles from patents granted by Sir William Alexander.

By one of those convenient pieces of legal fiction, quite common among law-sophists, a part of Edinburgh Castle was set apart and declared to be a part of New Scotland, to which all candidates for baronetcies could come and receive the investment of their title and deeds to their land.

Following is the roll of the Knights Baronets of Nova Scotia, including some of the greatest of the Scottish nobility, who had territorial grants from Sir William Alexander, Earl of Stirling:

Sir Robert Gordon, knight, son of the Alexander, Earl of Sutherland; William, Earl of Marischall, Lord Keith; Alexander Strachan, of Strachan; Sir Duncan Campbell, of Glenurquhie; Robert Innis, of Innis; Sir John Weymis, of Weymis; David Livingstone, of Donnepace (or Donypace); Sir William Douglas, of Glenberrie; Sir Donald MacDonald, of Slett; Master Richard Murray, of Cockpuill; John Colquhoun, of Luss; Sir Alexander Gordon, of Clunie; John Leslie, of Wardes; Sir James Gordon, of Lesmoir; Gilbert Ramsay, of Balmayne; Sir

George Forrester;—Eriskine; Sir William Graham, of Braço; Patrick Hume, of Polwarth; William Forbes, of Money musk; George Johnstone, of Caskilene; Sir Thomas Burnett, of Leyis; John Moncreiff, of Moncreiff; George Ogilvie, of Carnouise; Sir Robert Gordon, of Lochinvar; Sir William Murray, of Clairmounth; Sir John Blakader, of Tullialline; Sir John Ogilvie, of Innerquharatie; Sir Donald McKye, of Strathmore; Sir James Maxwell, of Calderwood; James Stewart, second son of Alexander, Earl of Galloway; Sir Archibald Nepar, of Merchistoun; John Livingstoun, of Kinnaird; William Cunningham, of Cunningham Head; James Carmichael, of Westerlaw; Master James MacGill, of Cranstounriddell; George Ogilvie, of Banff; Samuel Johnstone, of Elphinstoun; William Cackburne, of Langtoun; Colin Campbell, of Lembie, in Augur; James Campbell, of Aberuchill; Sir Archibald Achisone, of Clancairny; Sir Robert Montgomerie, of Skelmurhie; James Haliburton, of Pitcur; Dugald Campbell, of Auchinbreck; Master Donald Campbell, of Ardnansurach; Master Thomas Hope, of Craighall, King's advocate; Sir James Skene, of Curriehill; Sir John Prestoun, of Ardrie; Alexander Gibson, of Durie; John Crawford, of Kilburny; John Riddell, of Riddell; Sir Archibald Murray, of Blakbarronie; Sir Patrick Murray, of Elibank;—Cadell; Sir John McKenzie, of Tarbet; Master William Elphinstoun, cup bearer of His Majesty; Robert Barr; Captain Arthur Forbes, of Castle Forbes, Longford; Francis Hamilton, of Killach Down; Andrew Stewart, Lord of Castle Stewart, Tyrone; Edward Barrett, Lord of Newburgh; William Bruce, of Stonehouse; Master John Nicolsone, of Leswadde; Michael Arnot, Fear of Arnot; Master James Oliphant, of Newtown; Sir Patrick Agnew, of Lochnew; Sir William Keith, of Lerdquharrie; Claude St. Estienne, Seigneur De La Tour; Sir Robert Hanny, of Mochrum; William Forbes, of Craigiror; James Stewart, Lord of Ochiltree; Sir Peris Crosbie, member of the Privy Council in Ireland; Walter Crosbie, of Crosbie Park, Wicklow, Ireland; Charles St. Estienne, Seigneur De St. Dennis Court; James Sibbald, of Rankelour; William Murray, of Newdunearn; Robert Richardson, of Pencaitland; John Maxwell, of Pollock; David Cunningham, of Rob-

ertlandis; Sir Henry Wardlaw, of Pittretrie; James Sinclair, of Caniesbie, son of Sir William Sinclair, of Catboll; Sir John Gordon, of Kanbo; Lachlan McLean, of Kanbo; Sir James Balfour, of Denmilne, Lyon King at Arms; David Cunningham, of Auchinhervie; Philibert Vernete, of Carletoun in Yorkshire; Cappyain Henry Bingham, of Castle-War, County Mayo, Ireland; Col. Hector Munroe, of Fowlis; Alexander Foulles, Fear of Colingtoun; James Hamilton, of Broomehill; Sir John Gascoigne, of Barnbow; Walter Nortoun, of Chestone in the county of Suffolk; Arthur Pilkington, of Stainlie, county of York; Edward Widdrington, of Cairntington; James Hay, of Smithfield; John Rainey, of Rotham, county of Kent; John Fortescue, of Salden in the county of Buckingham; Thomas Thomsone, of Dudingstoun; John Browne, of Neale, county Mayo; Edward Moir, of Longfuird, county of Nottingham; Alexander Abercrombie, of Birkenbog; John Sinclaire, of Stevinstoun; John Curzon, of Kedlestone, county of Derby; John Raney, of Rotham; Gedian Bailzie, of Lochend; Master Thomas Nicolson, of Carnock; Master George Preston, Fear of Volafield; Andrew Kerr, of Greinherd; Henry Slingsbie, of Skiren, county of York; Thomas Pier, of Stanypittis, county of Kent; Edward Longwell, of Wolwerdin, county of Buckingham.

Many of the above are included in the Register of the Great Seal, and also in the Register of Signatouris in the office of Comprollerie. The title of each Knight Baronet to his territorial domain in New Scotland was derived direct from the crown, but in the name of Sir William Alexander, who surrendered to the Crown the land necessary for each allotment.

The history of the Order of the Knights Baronets of Nova Scotia, as embraced in its archives, is replete with many tragic and romantic relations. The order is maintained today in memory of a high purpose and self-sacrificing devotion to a noble ideal rather than from thought of mere vain glory and a title of royal creation.

“We have no titled deeds to house or lands,
Owners and occupants of earlier dates;
From graves forgotten stretch their dusty hands,
And hold in mortmain still their estates.”

The names of these baronets stand high in the honor roll of New Scotland and are enshrined in imperishable remembrance in the traditions of Nova Scotia and in the hearts of their descendants, and a Scot who can trace to this source has a priceless possession.

The death of King James I in March, 1625, brought a brief period of interruption to Sir William Alexander's colonial activities. The patent granting the territory and constituting Sir William lieutenant-general and governor of New Scotland, though approved by the Scottish Privy Council, had not been ratified by Parliament, which had not assembled between the date of its issue and the death of the King. Accordingly, a charter *Novo-damus* was granted to Alexander by King Charles I, and passed under the Great Seal, the former charter being recited, with additional clauses respecting the order of Knights Baronets, the number being restricted to one hundred and fifty, and a promise made that the former grant would be confirmed by Parliament as soon as it should meet. On the 19th of July, 1625, the king informed the Privy Council that certain baronets of New Scotland had been created, to each of whom he had granted territory in that country six miles in length by three in breadth. His Majesty also authorized the Council to confer baronetcies on intending undertakers, without compelling them to go to London, in order to avoid delay, so that a colony might be got ready to sail for New Scotland early the next spring. On the 31st of August, the Privy Council by a proclamation at great length confirmed the royal promise.

Early in April, 1627, two ships, the *Eagle* and the *Morning Star*, laden with colonists and supplies, sailed from Scotland for the new world and arrived in safety at the Annapolis Basin, where a settlement was made and a fort built, the site of which is known to this day as the Scotch Fort, on the Granville shore on the north side of the Basin, nearly opposite the end of Goat Island, some five miles from the present town of Annapolis. The fort erected by the Scots was of a substantial type, a great improvement over anything hitherto attempted in that part of the new world. Traces of it are visible to-day. The writer in the year of Queen Victoria's Diamond Jubilee (1897) visited Annap-

olis Royal and was informed that there were old men in the neighborhood still living who recalled as boys playing games amid the ruins of the old Scotch fort.

When the Scots arrived some of the French who had no means of getting out of the country immediately sought the protection and the friendship of the newcomers, which were cheerfully given. Concerning this Sir William Alexander in an official state document to the King and Privy Council says: "The remainder of this French colony not having occasion to be transported to France, stayed in the country, yet, they were neglected by the state not owning them any more, and hardly supplied in that which was necessary for them by voluntary adventurers, who came to trade, after that the Scottish colony was planted at Port Royal, they and the French who dwelt there having met with the commanders of the nation (Indians) called by them Sagamores, did make choice of one of the chief of them, called Sagamo Segipt, to come in the name of the rest, to His Majesty's subjects craving only to be protected by His Majesty, who did promise to protect them, as he represented to the rest on his return. Mons. La Tour, Jr., who was chief commander of the few French then in the country being neglected by their own countrymen, and finding His Majesty's title not so much as questioned, after their being expelled from Port Royal, and the coming in of the Scottish necessary for their security, did along with the same Sagamo, come offering and demanding the like in the name of the French who lived there so that His Majesty hath the good right to Nova Scotia by discovery and by possession of His Majesty's subjects by removing of the French who had seated themselves at Port Royal and by Mons. La Tour commander of them there his turning tenant."

In his "Encouragement to Colonies," Alexander writing of the location and surroundings of Port Royal, says: "I intend it to be for the chief colony of the Scottish nation."

We have already learned that the La Tours evidently had some association with the first Scots who settled at Granville. The younger La Tour, Charles, sometime after the arrival of the first Scots, persuaded his father to go to France and appeal for aid to drive out the Scots, meanwhile he, Charles, removed from

the Scottish colony with a small number of his followers and established a settlement near Cape Sable, known as Fort La Tour, on the beautiful south shore of Nova Scotia. Here he endeavored to erect a military and naval station as a subject of France under the French flag. All this after having received the most generous treatment and utmost consideration from the Scotch. This romantic and historical spot, well known to tourists, is now called Port Clyde.

Dr. William Douglas of Boston, a native born Scot and one of the most influential factors, social and professional, in the colony of Massachusetts Bay and one of the most accurate historical writers of his time, whose work is referred to by Adam Smith in the "Wealth of Nations," says in his "Historical and Political Summary of the British Settlements of North America," published in 1747; "The La Tours in the various vicissitudes were protestant when the country was under the dominion of England, and Roman Catholic when it was subject to the King of France." A careful study of the career of the La Tours clearly demonstrates that they were liberal in religion and were gallant soldiers of fortune.

Sir Robert Gordon, in 1625, published a pamphlet to encourage the colonization of Cape Breton. This pamphlet contains many interesting statements relating to Cape Breton and throws much light upon the subject of colonization at that period. It is inscribed as follows: "To the Right Worshipful Sir William Alexander of Menstrie, Knight, Master of Requests for Scotland, and Lieutenant General to His Majesty in the Kingdom of New Scotland, and to the Remnant the Noblemen, and Knights Baronets in Scotland, Undertakers in Plantations of New Scotland in America." Copies of this pamphlet are very rare and it is "highly honorable to the author, who assigns for his motives the propagation of the gospel among the heathen, the service of his King and native country, by enlarging its dominion, and the gain to be derived by those who should engage in such an enterprise." His offers to ministers of the gospel, gentlemen and others, who were inclined to enlist in the undertaking, were most liberal and praiseworthy. His second son, Sir Robert Gordon of Gilston, was actively engaged with his father in the colonization of New Scot-

land, visiting the property and supervising its affairs. Sir Robert for a number of years was an active factor in all of Alexander's plans in behalf of New Scotland carrying on an earnest propaganda among all those within the sphere of his influence. His enthusiasm in behalf of the cause was most marked. He was one of the noted figures of his time, not only for his mental qualities but for his prodigious physical strength, being accounted one of the strongest men in Scotland and his deeds of prowess were often told.

As a direct result of the publicity campaign on behalf of colonization conducted by Alexander, Sir Robert Gordon and Dr. Vaughan, and the creation of the new order of Knights Baronets, the enterprise received a new impetus, and by this time a substantial portion of the leading Scottish families were thoroughly aroused over Sir William's efforts to found a New Scotland in America. Between the 18th of October, 1627, and February, 1628, fourteen patents of baronetcy were issued and recorded, the proceeds helping in part to equip vessels with supplies and colonists for New Scotland. To indicate his deep personal interest in the undertaking, Sir William announced that his son, William Alexander Jr., would go at an early day to New Scotland in charge of an expedition. To a young man of superior training and natural capacity of high order, abounding in energy, the appointment as chief administrator of a new colonial enterprise was most fascinating.

William Alexander Jr. early in 1628 was introduced at court and honored with knighthood, and constituted Knight Admiral of New Scotland. A seal for his special use was by authority of the Scottish Privy Council prepared by Charles Dickieson, Sinker of His Majesty's Armes. This seal the Privy Council directed was to display "A ship with all her ornaments and apparelling, the mainsail only displayed with the arms of New Scotland, bearing a saltoire with one escutcheon of the ancient armes of Scotland, and upon the head of the said ship carrying ane unicorn sitting, and ane sorage man standing upon the sterne, both bearing a St Andrews cross."

On May 16, 1628, four vessels, under command of Sir William Alexander Jr., sailed for New Scotland with colonists. The ships

after an uneventful voyage arrived and joined the colonists at Granville. The younger Alexander appears to have inherited much of his father's talents and administrative ability. During his stay in New Scotland, he was the leader and directing intellect of the colony. Owing to the unsettled state of affairs on the seaboard, many pirates, soldiers of fortune and adventurers from France, Spain, etc., infesting the coasts, Sir William Jr. decided after a few months' sojourn to return to London and report to his father the true condition prevailing, leaving the colony well-housed and with ample supplies to last until the following spring. He arrived in London late in November. Another motive that induced Alexander to return at this time was to set influences in motion to circumvent certain English adventurers who were seeking at court to obtain special trade privileges in New Scotland.

We are informed at this point by a petition to the King from certain Scottish lords, Nov. 28, 1628, among other things the following: "We are very hopeful that as the said Sir William Alexander has sent forth his son with a colony to plant there (New Scotland) this last year, so it will be successful, etc."

The Scottish pioneers meanwhile were industriously at work subduing the wilderness, cultivating the soil, and erecting dwelling houses and farm buildings; in fact, establishing a permanent settlement. French traditions and historians assert that during the winter of 1628-29, the Scots all perished with the exception of one family,—from two causes, viz., the hostility of the Indians and scurvy. This was a bald fabrication and a base subterfuge, probably circulated to discourage further Scotch settlement in the country. The Indians were the reverse of hostile.

Sir William Alexander, Jr., passed the winter assisting his father and the Kirks preparing a new fleet of ships to proceed against the French, which sailed from England early in the spring of 1629 in command of Admiral David Kirk. Young Alexander, who returned to New Scotland with this fleet, found the native Indians ready and willing to enter into an alliance with the Scots against the French. The Indians selected Sagamore Segipt to proceed to England with Governor Alexander and ratify their treaty of friendship before the English Court.

In December, 1629, a royal letter was directed to Sir James Bagg, Governor of Plymouth, requesting him to conduct to court "one of the commanders of New Scotland and Canada, attended by some others of that country." Sagamore Segipt's appearance in London is by the Rev. Joseph Mead, in a letter dated Christ's College, Feb. 12, 1630, thus described: "There came last week to London the King, Queen and young Prince of New Scotland, which is the west part of that tract which was in the patent which Sir Ferdinando Gorges had for New England, but he consented that Sir William Alexander, a Scot, should have a patent thereof from King James, A. D. 1621. This king comes to be of our king's religion, and to submit his kingdom to him, and to become his homage for the same, that he may be protected against the French of New Scotland and Canada. Those savages arrived at Plymouth, were a while entertained at my lord Poulets in Somersetshire, much made of, especially my lady of the savage queen. She came with her to the coach when they were to come to London, put a chain about her neck, with a diamond valued by some at near twenty pounds. The savages took all in good part, but for thanks or acknowledgment made no sign or expression at all."

The public and private affairs of Sir William Alexander were now at high tide. His influence at court and in government circles was paramount. On Aug. 27, 1627, a royal order was issued, which, prohibited his docqueting any paper "proceeding in the king's name without special authority," thus enabling him to collect fees for completing many official duties. He was also appointed Keeper of the Signet, the duties being performed by a deputy at Edinburgh, while the fees were payable directly to Alexander. Hence no Scotsman could be introduced at court, obtain a royal warrant, or institute proceedings in the Scottish law courts without contributing to his official income.

In the summer of 1628, Alexander considered the success of the colony in Nova Scotia absolutely assured, for he planned to establish a great shipping port on the west coast of Scotland. The king "considering the great and manifold services rendered to his father and himself by his well-beloved councillor, Sir

William Alexander, more especially, his care, toils and endeavors for establishing and founding his colony of America called New Scotland," granted to him the land and muir of Largs near the mouth of the Clyde, which was also erected into a free barony. Sir William was also empowered to build a free port and haven for advancing trade and commerce between Scotland and Nova Scotia. In view of the fact that Scotland and the north of Ireland were so intimately connected through settlement in the latter place of many Scottish families, Sir William Alexander became convinced that his proposed port of Largs would prove serviceable as a shipping terminal for both New Scotland and Scottish Ulster, hence in January, 1629, he accepted Irish citizenship with a grant of one thousand acres of land in the county of Armagh. This grant included the lands of "Mullalelish, Ballylaghan, Ballyhinche, Ballylaney, Ballibreak, Mulladrog, Dronnehunchin, Dromard, Ballykedemore, Ballycogait, Durichole, Leggacony and others."

The enthusiasm and energy animating Alexander at this time in behalf of Scottish colonization in America were evident to all who came in contact with him, and provoked the mirth of that celebrated Courtier Buckingham, cynical and gay, who remarked: "James was a king who tried to be a poet, and Alexander a poet who wished to be a king."

Sir James Stewart, fifth lord of Ochiltree, who had been most actively interested in the colonization of Ulster in Ireland with Scottish families, and who had expended large sums of money in that enterprise, became thoroughly convinced that New Scotland offered unusual inducements to Scottish colonization, and after arranging with his friend, Sir Robert Gordon, for the planting of a colony in New Galloway, known as Cape Breton, set sail from Scotland in June, 1629, in command of three vessels, loaded with colonists and stock, with all kinds of necessary provisions and supplies. They arrived in safety and entered the small harbor at Valeine, a short distance to the northeast of Louisburg, Cape Breton, where he built a fort and prepared to found a permanent settlement. Meanwhile, two of his vessels were sent forward to visit the Scottish colony on the shores of the Annapolis Basin.

The French very early were apprised of Lord Ochiltree's activity and within a few months after his arrival an expedition under the leadership of Captain Daniel, with a commission from the company of New France, and in command of five armed ships, appeared off the shores of Cape Breton. Captain Daniel at this time evidently had no knowledge of the capitulation of Quebec and the surrender of Champlain to Admiral Kirk the previous July. Daniel attacked the Scottish colony and demolished the settlement, carried off Lord Ochiltree and the other leaders as prisoners to France in the name of the company of New France, to use the quaint language of Lord Ochiltree: "He (Daniel) enclosed in the hold of the ship in so little room, that they were forced to lie upon each other as they had been so many fishes lying in their ain filth and fed upon bread and water." Upon arriving in France they were confined and subjected to harsh treatment until through the efforts of the British Ambassador, together with the high standing of Lord Ochiltree in his own country, they were released and returned to Scotland. Lord Ochiltree lost in this undertaking upwards of twenty thousand pounds sterling.

Notwithstanding this crushing defeat, Lord Ochiltree gave evidence that he was of the blood-royal, for after a period of rest and recuperation we find him in April, 1631, renewing his plans to plant a colony at Cape Breton, or some other part of New Scotland, but before his plans were completed the English Councillors of the king, out of jealousy against the Scots, made the stupendous blunder of the treaty of St. Germain, thereby at once frustrating the enterprises of the brave colonists and entailing upon the world upwards of a century of needless strife and bloodshed, for, it is at least reasonable to deduct, had Britain not quit-claimed this vast territory to France, the century struggle for its possession would not have taken place.

It was Mary Stewart, daughter of the second Lord Ochiltree, who married John Knox, the great Scottish reformer, and an ancestor of Lord Ochiltree was General of Ordinance and Governor of Edinburgh Castle in 1615.

AN AMERICAN REFUGEE

BY S. R. KNAPP

ON August 21, 1814, there died at Auteuil, near Paris, a man who, discredited as he may have been in his native land, had found rich compensation in the honors and esteem which his achievements had earned for him in those foreign countries in which he had found refuge. To their interests he had devoted the most useful portions of his career and that unique genius which had met with such slight recognition at home. In America his small successes in the line of self-advancement had inspired nothing but feeling of jealousy and desires for revenge among his associates, and it was not until he had taken flight from the suspicions and insults which those sentiments inspired that he found his opportunity to show that he was cast in a different mold from that in which traitors were made.

It is not known what first aroused the suspicion concerning Benjamin Thompson's loyalty. The son of a Massachusetts colonist—for he was born in North Woburn, March 26, 1753—he attended the common school, and there is nothing, either in his early life or during his brief career at Harvard, to suggest that he was at heart a Tory. In Rumford (now Concord) N. H. where he taught school, and where he was married, the question of his loyalty troubled none of his neighbors until he had obtained a position which he had long desired to hold, the commission of major in the New Hampshire Militia. Suspicion and insinuation followed. Whether they were founded upon fact, as his enemies declared, or were based solely upon jealousy, as his friends insisted, is a question that may never be determined, but the antagonism which they aroused was sufficiently widespread to drive him back to the ranks of the civilian and to prevent him, later, from carrying out his intentions of joining the

(806)

Continental Army. In fact, life in any New England town in which he might be known became so burdensome for him that he finally took ship and sailed for England, where, as recompense for his persecution he was provided with a position in the foreign office.

However firm Benjamin Thompson's loyalty may have been in those days when he was an humble school teacher in New Hampshire there can be no question but that it weakened beneath subsequent experiences, for, after his appointment as under-secretary to the colonies, in 1780, he returned to America with the position of lieutenant-colonel of the king's dragoons.

Retiring with honors of knighthood in 1784, Thompson announced his intention of devoting the remainder of his life to the economic and philosophical studies in which he was so deeply interested, but Fate, as represented in the person of the reigning sovereign of Bavaria, had a more important service for him to perform, and so, for more than ten years, he devoted his attentions to the interests of that little kingdom, in which he practically reorganized the various departments of civil and military affairs. So many and so useful were the reforms which he suggested, almost all of which were carried to successful completion under his direction, that he was actually surfeited with rewards at the hands of the Government, and, when he retired, in 1795, he held many orders of knighthood as well as the rank of lieutenant-general and the title of Count Rumford, the latter having been conferred upon him with his insignia as knight of the Holy Roman Empire.

Although, among the many honors that were showered upon him, the greatest were given in recognition of the military and executive genius which he displayed in his reorganization of the Bavarian Government, modern progress, in its ever-changing course, soon found the means of improving upon his innovations, until, before another decade had passed, little was left of the reforms which he had instituted. The achievements for which he had received wealth and honorable distinction soon faded into an official memory and yet Count Rumford was not forgotten! Who could fail to remember and honor the man who had found the means of reclaiming the beggars of Bavaria!

When Count Rumford arrived in Bavaria to undertake his work of reorganizing the Government, his attention was attracted by the incredible number of itinerant beggars who infested the country. So numerous were they, so great their impudence, and so persevering their importunity that, as he says in one of his published essays, "it was almost impossible to cross the streets without being attacked, and almost forced to satisfy their clamorous demands. . . . They even made a practice of going into private houses, and the churches were so full of them that it was a public scandal. People at their devotions were continually interrupted by them, and were frequently obliged to satisfy their demands in order to be permitted to finish their prayers in peace and quiet."

To produce a radical change in the morals and manners of this abandoned and debauched strata of society was one of the first reforms which Count Rumford determined to institute. To accomplish this purpose, however, was quite another matter. The public, worn out by the failure of the numberless schemes for relief, gave him little assistance, apparently having decided to submit patiently to an evil for which there seemed to be no remedy.

In devising a method of reclamation, however, Count Rumford approached the problem from a different angle than had been selected by any of the social reformers who had preceded him so disastrously. They had devoted their time to the work of finding some means by which they might win the beggars from their vicious and abandoned habits by making them virtuous. But Count Rumford, applying his philosophy to the situation, determined that success lay in one course alone. Before he could attempt to reform them he must so completely change their environment that they would be more comfortable and happy under the new conditions than they ever could have been in those from which he had released them. The experiment was one of unique interest but it accomplished its purpose. Where precept, and admonition, and punishment had failed, comfort and happiness proved themselves the natural forerunner of virtue.

For a brief description of the great industrial reform move-

ment which instituted by Count Rumford, soon extended through Bavaria into many other parts of Europe, it is only necessary to turn to his essays :

“Having taken my resolution to make the comfort of the poor people the primary object of my attention, I considered what circumstance in life, after the necessities, food and raiment, contributes most to comfort, and I found it to be cleanliness.

“Most of them had been used to living in the most miserable hovels, in the midst of vermin and every kind of filthiness; or to sleep in the streets and under the hedges, half naked, and exposed to all the inclemencies of the seasons. A large and commodious building, fitted up in the neatest and most comfortable manner, was now provided for their reception. In this agreeable retreat they found spacious and elegant apartments, kept with the most scrupulous neatness, well warmed in winter and well lighted; a good warm dinner every day, *gratis*, cooked and served with all possible attention to order and cleanliness; materials and utensils for those who were able to work; masters, *gratis*, for those who required instruction; the most generous pay, in money, for all the labor performed; and the kindest usage from every person, from the highest to the lowest, belonging to the establishment. . . .

“As by far the greatest part of those poor creatures were totally unacquainted with every kind of useful labor, it was necessary to give them such work at first as was very easy to be performed, and in which the raw materials were of little value. . . . As hemp is a very cheap commodity, and the spinning of hemp is easily learned, particularly when it is designed for very coarse and ordinary manufacture, 15,000 pounds of that article were purchased. . . . Flax and wool were likewise provided, and some few good spinners were engaged as instructors; but by far the greater number of the poor began with spinning hemp; and so great was their awkwardness at first, that they absolutely ruined almost all the raw materials that were put into their hands. By an exact calculation of profit and loss it was found that the manufactory actually lost more than 3,000 florins during the first three months.”

Concerning the later history of this enterprise it remains only to be said that it became such an unqualified success that it was soon followed by other establishments of a similar character, and it was not long before the number of professional

beggars in Bavaria had become so far reduced that the authorities found little difficulty in keeping them well under control. In later years, especially after his retirement, Count Rumford found the opportunity to employ himself with the studies which he loved so well. He devoted considerable time to his experiments on the nature and application of heat, and, in his search for a remedy for smoky chimneys, he discovered the principles upon which fireplaces and chimneys have since been constructed; he made several startling discoveries in connection with light and illumination; his investigations respecting the strength of materials and the force of gunpowder led to considerable improvement in artillery, and, years after his death, his complete works were collected and published by the Academy. Among all his achievements, however, the one that stands out as the most lasting memorial to his genius is the institution which he founded as a means of reclaiming the beggars of Bavaria.

HISTORY OF THE MORMON CHURCH

By Brigham H. Roberts, Assistant Historian of the Church

CHAPTER XXVI

THE DISRUPTION AT KIRTLAND

IT is necessary now to relate events of a different order than those of mob violence. The unlikelihood of very soon re-establishing Zion, in Jackson county, together with the general uncertainty of affairs in Missouri pertaining to the Saints, made it imperative that Kirtland should be enlarged and maintained as the headquarters of Church activity. As already stated in a previous chapter, on the return of the Elders from the Zion Camp expedition the foreign misistry of the Church, represented in the quorums of the Twelve and the Seventy was organized and its duties defined. The Temple was hastened to its completion, and dedicated; The "*Evening and Morning Star*," the Church periodical, was discontinued with the September number of 1834, and succeeded by the *Messenger and Advocate*, which was regarded as a more appropriate title for a periodical of the New Dispensation, which had both a message to deliver and a cause to advocate.¹ About this time also a change was made in the title of the Church. Up until now the organization had been called by its members the "Church of Christ" or "The Church of Jesus Christ," but by non-members the "Mormon Church", and "Mormonites." In the hope of establishing a more distinctive title,—and perhaps in the hope of escaping the term "Mormonite"²—at a Conference of Elders in Kirtland, over which President Joseph Smith presided, held on the 3rd of May, 1834, a resolution was passed to the effect that the Church thereafter should be

1. See Editorial in *Evening and Morning Star*, Vol. II, p. 369.

2. See Editorial in *Evening and Morning Star*, May, 1834.

known as "The Church of the Latter-day Saints."³ The heading of the conference minutes, however, begins with these words: "Minutes of a conference of the Elders of the Church of Christ," etc. This is pointed out in order that it may be seen that while the conference aforesaid adopted the title, "The Church of the Latter-day Saints," and the Church officially for some time was called by that name, it was not the intention to regard the Church as any other than the Church of Christ. Subsequently, namely, on the 26th of April, 1838, the matter of the name of the Church was finally settled by revelation—"Thus shall my Church be called in the last days," said the Lord, "The Church of Jesus Christ of Latter-day Saints."⁴ The appropriateness of this title is self evident, and in it there is a beautiful recognition of the relationship both of the Lord Jesus Christ and the Saints to the organization. It is "The Church of Jesus Christ." He owns it, for He organized it. Is is his, for he gave himself for it. It is the Sacred Depository of His truth. It is His instrumentality for promulgating all those spiritual truths in which He would have mankind instructed. It is also the Christ's instrumentality for the perfecting of the Saints, as well as for the work of the ministry.⁵ It is the Christ's Church in all these respects; but it is an institution which also belongs to the Saints. It is their refuge from the confusion and religious doubt of the world. It is their instructor in principle, doctrine, and righteousness. It is their guide in matters of faith and morals. They have a conjoint ownership in it with Jesus Christ, which ownership is recognized in the latter part of the title. "The Church of Jesus Christ of Latter-day Saints," is equivalent to "The Church of Jesus Christ," and "The Church of the Latter-day Saints."

For some time there was a season of joy and gladness in Kirtland for the Saints. The School for the Elders in the Temple went steadily on. During the week Professor H. M. Hawes conducted the "Kirtland High School," where, in addition to the English branches, the classics were taught; and Professor

3. *Evening and Morning Star*, Vol. III, p. 352.

4. Doctrine and Covenants, Sec. 115.

5. Ephesians iv: 8-16. Eph. v: 25.

Joshua Seixas was employed to conduct a class in Hebrew which was well and enthusiastically attended by a number of leading Elders, including the Prophet.⁵ In the evenings the various Temple rooms were quite generally occupied by the different quorums of priesthood. On Thursday night a weekly prayer meeting was held in the main hall of the lower story, conducted by the father of the Prophet, now the presiding Patriarch of the Church,⁶ and vocal music was taught to members of the Choir on several evenings of the week. On Sundays the Temple was crowded with eager worshipers from far and near, and Kirtland was indeed a center of educational and religious activity. From thence Elders were sent throughout the United States and into Canada, which was the first country to receive the message of the New Dispensation outside of the United States. Elder Orson Pratt preached the first discourse in Canada at Potten, north of the state of Vermont, on the 20th of July, 1833.⁷ In October of the same year the Prophet and Sidney Rigdon performed a brief mission in Upper Canada, accompanied by Freeman Nickerson. They held meetings in Mount Pleasant, near Brantford, the shire town of Brant county; also in Waterford, in the adjoining county of Norfolk. About sixteen were baptized and Freeman A. Nickerson (a relative of the Freeman Nickerson who accompanied the Prophet and Sidney Rigdon on their mission) was ordained an Elder and appointed to preside over the newly made converts.⁸ Subsequently, namely, in 1836, Elder Parley P. Pratt under very interesting circumstances went to the city of Toronto and

5. Two classes were formed one of 23, which met in the morning, and another of 22, which met in the afternoon.

6. The functions of this office in the Priesthood are to bless the people, designate their lineage, and seal them up to eternal life. (Doctrine and Covenants, Sec. 124.) In the revelations the office is referred to as an "evangelical" ministry, and is an order of the priesthood designed to be handed down from father to son, "and rightly belongs to the literal descendants of the chosen seed, to whom the promises were made." (Doc. and Cov., Sec. 107: 39, 40).

7. "Celebration Pioneer's Day, July 24, 1880"—pamphlet—p. 25. The statement is made by Orson Pratt, then Church Historian, in giving a chronological statement of events in the Church.

8. Documentary History of the Church, Vol. I, Ch. XXX. Elder Orson Pratt says they organized a branch of the Church west of Hamilton, shire town of Wentworth county, which agrees with location mentioned in the History of the Church above cited. "Celebration Pioneer Day, July 24th," p. 25.

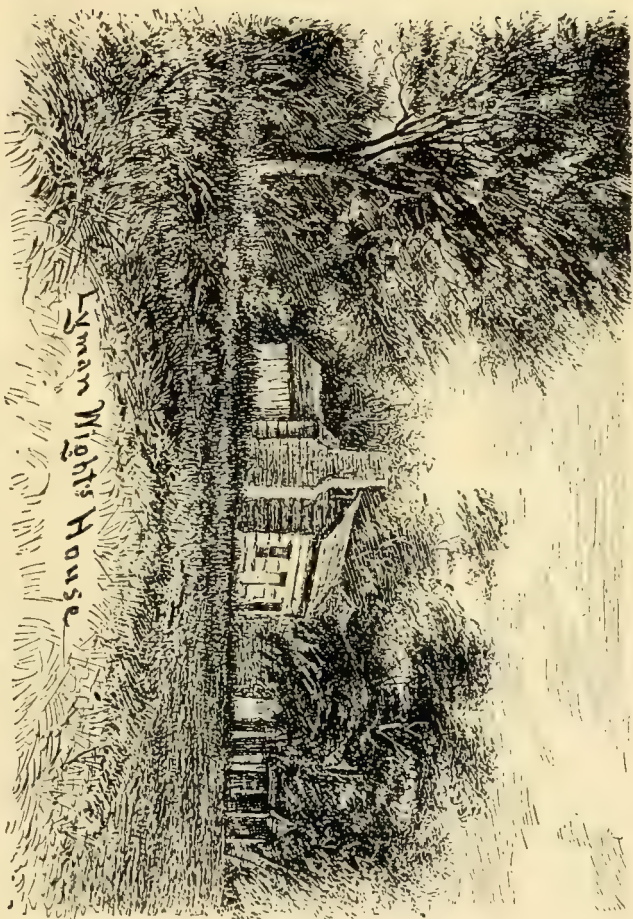
preached the gospel in that city and the surrounding country.⁹ Among his early converts in Toronto was John Taylor, who afterwards became prominently associated with Joseph Smith at Nauvoo, was made one of the Twelve Apostles, and became the third President of the Church, succeeding Brigham Young in that high office.¹⁰

9. The interesting circumstances here alluded to are thus stated by Elder Pratt himself: "It was now April (1836); I had retired to rest one evening at an early hour, and was pondering my future course, when there came a knock at the door. I arose and opened it, when Elder Heber C. Kimball and others entered my house, and being filled with the spirit of prophecy, they blessed me and my wife, and prophecied as follows: 'Brother Parley, thy wife shall be healed from this hour, and shall bear a son, and his name shall be Parley; and he shall be a chosen instrument in the hands of the Lord to inherit the priesthood and to walk in the steps of his father. He shall do a great work in the earth in ministering the word and teaching the children of men. Arise therefore, and go forth in the ministry, nothing doubting. Take no thought for your debts, nor the necessities of life, for the Lord will supply you with abundant means for all things. Thou shalt go to Upper Canada, even to the city of Toronto, the capital, and there thou shalt find a people prepared for the fullness of the gospel, and they shall receive thee, and thou shalt organize the Church among them, and it shall spread thence into the regions round about, and many shall be brought to the knowledge of the truth and shall be filled with joy; and from the things growing out of this mission, shall the fullness of the gospel spread into England, and cause a great work to be done in that land. You shall not only have means to deliver you from your present embarrassments, but you shall yet have riches, silver and gold, till you will loathe the counting thereof.' This prophecy was all the more marvelous, because being married near ten years we had never had any children; and for near six years my wife had been consumptive, and had been considered incurable."

Elder Pratt made immediate preparations for this Mission to Canada, and all that was predicted upon his head by his brother Apostle, Elder Heber C. Kimball, was fulfilled. See *Autobiography*, chs. XIX, XX.

10. John Taylor was born November 1st, 1808, in Milnthorp, a small town near the head of Morecombe bay, and not far from Windemere, the "Queen of English Lakes," in the county of Westmoreland, England. His father's name was James Taylor, whose forefathers for many generations had lived on an estate known as Craig Gate, in Ackenthwaite. John Taylor's mother's name was Agnes; her maiden name was also Taylor. Her grandfather, Christopher Taylor, lived to be ninety-seven years of age. His son John, father of Agnes, held an office in the excise under the government from his first setting out in life to the age of about sixty. The maiden name of Agnes Taylor's mother was Whittington.

At the age of seventeen Elder Taylor was made a Methodist exhorter or local preacher, and was very active and earnest in his ministerial labors. In 1832 he removed with his family to Toronto, upper Canada, and here engaged in preaching under the auspices of the Methodist Church. Within a year after his arrival in Canada he married Leonora Cannon, daughter of Captain George Cannon (grandfather of the late George Q. Cannon). Leonora Cannon had come to Canada as the companion of the wife of Mr. Mason, the private secretary of Lord Aylmer, Governor-General of Canada. She was a devout Methodist, and through attendance upon church became acquainted with Mr. Taylor. While living in Toronto Elder Taylor associated himself with a number of gentlemen of education and refinement who were not satisfied with the doctrines of their respective churches, as those doctrines did not, according to their view, agree with the teachings of the Bible. Through this organization they were seeking for greater religious light, and it was under these circumstances that Elder Parley P. Pratt arrived in Toronto with a letter of introduction to Elder Taylor. Elder Pratt several times addressed this association of gentlemen who were seeking the truth. The end of the matter was that John Taylor accepted the Gospel under the ministration of Elder Pratt; and was soon afterwards ordained an Elder in the Church.



LYMAN WIGHT'S HOUSE

at the Foot of Tower Hill, near Adam-on-di-Ahman, Missouri

From Canada the work finally extended into England in the following manner. Several of the Saints in Canada had friends and relatives in England, to whom, by letter, the Canadian Saints gave an account of the opening and progress of the New Dispensation of the gospel; and at length, Joseph Fielding, Isaac Russell, John Goodson and John Snyder became anxious to proclaim the gospel in England. About this time the darkest days had fallen upon Kirtland. The spirit of apostasy was rife. No quorum of the Church was free from it. Five of the quorum of the Twelve at one time were in league with the enemies of the Prophet, and it would seem that every evil power had combined to make an end of the new Dispensation so recently established. In many constitutions of American states it is written that frequent recurrence to fundamental principles is essential to the perpetuity of free government. The doctrine of frequent recurrence to fundamental principles holds not only in civil government, but as well in ecclesiastical organizations. The primary mission given to the Church was to make proclamation of the truth deposited with her to the world. She was established to be God's instrumentality for teaching the truth to all nations. The gospel restored "in the hour of God's judgment" was to be preached "to every nation and kindred and tongue and people."¹¹ The closer the Church adheres to this mission the greater will be her security from the "gates of hell" which seek to prevail against her. And hence it happened that in these darkest Kirtland days there was a recurrence to fundamental principles. "God revealed it to me," says the Prophet, "that something new must be done for the salvation of His Church." That "something new" was to send the gospel to England under Apostolic commission. The inspiration of the spirit led the Prophet on the 4th of June (Sunday) to go to Heber C. Kimball, then setting in the Temple, and to say to him: "Brother Heber, the spirit of the Lord has whispered to me: Let my servant Heber go to England and proclaim my gospel, and open the door of salvation to that nation."¹² A few days later Orson Hyde, also of the quorum

11. Revelations, XIV, 6, 7.

12. Documentary History of the Church, Vol. II, p. 489, 490, foot note.

of the Twelve, and Elder Willard Richards, a recent convert to the faith,¹³ were appointed to accompany Elder Kimball, and these three brethren with the four Canadian brethren already named comprised the mission to England, the first foreign mission undertaken under the New Dispensation of the gospel.

We must now consider the calamitous events which befell the Saints in Kirtland. As already stated the unlikelihood of any way soon re-establishing Zion, in Jackson county, as a center of Church activity, made it imperative that something like permanency be given to the operations of the Church in Kirtland. In pursuance of this purpose the leading Elders of the Church and the Saints, as far as they had means to participate in such movements, purchased tracts of land in Kirtland and vicinity, and platted them into town lots with a view of establishing a city of some pretensions. In addition to their printing establishment a steam saw mill was installed and a tannery founded—both proved to be unprofitable investments and failed. The merchantile establishments were enlarged and an extensive stock of goods purchased on credit. The lands purchased for the expansion of Kirtland were bought at excessively high prices, and also upon credit; but the expected gathering of the Saints from the east and elsewhere, who would be able to purchase the lands, failed of realization; and the platted lands were largely left on the hands of the first purchasers. The poor came, in considerable numbers, even to the embarrassment of the presiding authorities of the Church;¹⁴ but these

13. Dr. Willard Richards, who, as an apostle of the Church, secretary and confidential friend of the Prophet, and for many years a counselor in the first Presidency of the Church with Brigham Young, will be frequently mentioned in this history. He was born at Hopkinton, Middlesex county, Massachusetts, June 24th, 1808. He was of a deeply religious nature, but met with some disappointing experiences in connection with sectarian churches which led him to the conclusion that they were wrong and that God then had no Church on earth, but that he would soon have a church whose doctrines would be the truth and the whole truth. While in the practice of his profession near Boston, in 1835, he came in contact for the first time with the Book of Mormon which he read twice through within ten days, and such was his conviction of its truth that he discontinued his practice of medicine and in company with his brother, Dr. Levi Richards, made the journey of seven hundred miles to Kirtland to make further investigation. His inquiries resulted in his conversion, and on the last day of the year, 1836, he was baptized by Brigham Young.

14. So great was the embarrassment that in the closing days of 1836—December 22—a special conference of the Priesthood, held at Kirtland, found it necessary to issue a circular letter to the branches of the Church denouncing as an improper and unchristian-like course, on the part of the Elders and the churches abroad, "to send

could not build up the city where means for purchasing lots, building homes and establishing manufactures and other industries was the first requisites. The Saints, also, it must be admitted, lived extravagantly on borrowed money. They had entered into that spirit of reckless speculation which for several years had been rife throughout the United States, and which expressed itself chiefly in land speculations and in excessive banking, culminating in the disastrous financial panic of 1837. In order that it may be seen—after frankly admitting the folly and sin of the Saints in these matters—that the financial failures of the Saints at Kirtland were not purely local, nor due to any principle connected with “Mormonism,” but were part of a general financial and industrial maelstrom that swept through the country, I quote the following from Alexander H. Stephens’ History of the United States:

“Soon after Mr. Van Buren became President occurred a great commercial crisis. This was in April, 1837, and was occasioned by a reckless spirit of speculation, which had, for two or three preceding years, been fostered and encouraged by excessive banking, and the consequent expansion of paper currency beyond all the legitimate wants of the country. During the months of March and April of this year the failures in New York City alone amounted to over \$100,000,000. This state of affairs became so distressing, that petitions were sent to the President from several quarters, and a deputation of merchants and bankers of New York waited upon him in person, and solicited him to defer the immediate collection of duties, for which bonds had been given, and to rescind the treasury orders which had been issued under Jackson’s administration, requiring dues to the government to be paid in specie. They also asked that an extra session of Congress should be called to adopt measures of relief. He granted their request so far only as to suspend suits on bonds, which had been given for the collection of duties. In a few days after his response to

their poor from among them to this place [Kirtland], without the necessary means of subsistence;” and after “deliberate discussion” it was moved and carried unanimously by the conference—after reciting the conditions in Kirtland, and drawing attention to the fact that the Saints there had already borne their part in carrying the burdens of the New Dispensation—“that it becomes the duty, henceforth, of all the churches abroad to provide for those who are objects of charity, * * * and not send them from their midst to burden the Church in this place unless they come and prepare a place for them, and provide means for their support.” (Documentary History of the Church, Vol. II, pp. 468-9).

this deputation was made known in New York, all the banks in that city stopped specie payments, and their example was soon followed by nearly all the banks in all the States. In this emergency, Mr. Van Buren was compelled to convene an extra session of Congress, to provide for meeting demands on the treasury with legal currency. He accordingly summoned the Twenty-fifth Congress to meet at the capitol on the 4th day of September, 1837. The session lasted five or six weeks. In his message to Congress, Mr. Van Buren assigned as the causes of the unhappy condition of the country, the excessive issues of bank paper; the great fire in New York, December, 1835; the large investments that had been made in unproductive lands, and other speculative enterprises. To meet the exigencies of the treasury, as well as to provide for the public relief, as far as to them seemed proper, Congress passed an act authorizing the issue of treasury notes to the amount of \$10,000,000."¹⁵

Another authority says:

"The great extent of the business operations of the country at that time, and their intimate connection with each other, extended the evil throughout all the channels of trade; causing, in the first place, a general failure of the mercantile interests—affecting, through them, the business of the mechanic and the farmer, nor stopping until it had reduced the wages of the humblest day laborer."¹⁶

Commenting on the refusal of the President to recind the order for payments for public lands in specie, Wilson remarks:

"Two days after the decision of the president became known, all the banks in the city of New York suspended specie payments, and this was followed by a similar suspension on the part of the banks throughout the whole country. The people were not the only sufferers by this measure; for, as the deposit banks had likewise ceased to redeem their notes in specie, the government itself was embarrassed, and was unable to discharge its own obligations."¹⁷

Such were the general conditions prevailing throughout the United States—conditions which affected the industrial and

15. Stephen's History of the U. S., p. 460.

16. History of the United States, Marcus Wilson, p. 479.

17. *Ibid.*, pp. 479-80.

business enterprises of the Latter-day Saints in Ohio, in common with other people, and contributed to their failure; but the failure in the case of the Saints was magnified out of all just proportions. Especially is this the case in the matter of what is called "The Kirtland Bank" failure, the history of which is as follows: In November, 1836, a number of brethren including the Presidency and other leading Elders of the Church, applied to the Ohio state legislature for a charter for a bank, to be known as the "Kirtland Safety Society Bank;" but on account of religious prejudice, it is supposed, the legislature refused to grant the charter. Meantime, confident of getting the charter, Oliver Cowdery had been sent to Philadelphia as the agent of the proposed banking institution and had plates engraved on which to print the proposed bank's currency. Failing to get the charter for a bank, the Saints organized a "Stock Industrial Company" called the Kirtland Safety Society *Anti-Bank-ing* Company," under which they "proposed the management of their different occupations," consisting of "agriculture, mechanical arts and merchandising." By the articles of agreement the individual members of said Society held themselves bound for the redemption of all notes given by it in proportion to the amount of stock subscribed.¹⁸ And this article was made unalterable, (See Art. 16). In issuing their notes the Kirtland Safety Society doubtless made a mistake in that they used the notes printed from the plates prepared for their anticipated bank issue, using a stamp to make the notes read—*Anti-Bank-ing Co.*, instead of "Kirtland Safety Society Bank." This to avoid the necessity of incurring the expense of making new plates; but anti-Mormon writers have attributed a sinister motive to the action.¹⁹ The Kirtland Safety Society enterprise ended disastrously. Having no State charter the notes of the "society" had no legal standing as currency, and were soon rejected by its creditors in New York, Pittsburgh and Cleveland, where merchandise for the stores in Kirtland

18. Fourteenth Article of agreement, see *Messenger and Advocate*, July, 1837, p. 535; and Documentary History of the Church, Vol. II, Chapter XXXII.

19. See Linn's Story of the Mormons, ch. V. "The Prophet of Palmyra" (Gregg) ch. XIII. "Early days of Mormonism" (Kennedy), ch. VII and nearly all Anti-Mormon authors.

had been purchased on credit, in large quantities, and for which the Society, its notes being rejected, was unable to pay. Prices in real estate rapidly declined so that the large farms purchased by the "Society" on credit and platted for a city could not be sold but at great loss; and the financial disasters that had swept over the whole country still paralyzing all branches of business activity, the "Kirtland Safety Society" failed with thousands of other business concerns of 1837, and involved many members of the Church in financial distress.

Nor was this the worst of their calamities. Pride and worldly mindedness among the Saints had preceded some of their financial difficulties, and when their troubles came thick upon them they accused each other of sin and folly; there were evil surmisings, bickerings, fault-finding, false accusations and bitterness, until the spirit of the gospel in Kirtland was well nigh eclipsed. The Prophet especially was censured. It was reported that the "Bank" had been "instituted by the will of God," i. e., by revelation, "and would never fail, let men do what they would." This the Prophet denied in open conference, saying that "if this had been declared no one had authority from him for doing so;" and added that he "had always said that unless the institution was conducted on righteous principles it would not stand."²⁰ Many, however, became disaffected toward the Prophet, "as though I were the sole cause," he writes, "of those very evils I was most strenuously striving against, and which were actually brought upon us by the brethren not giving heed to my counsel."²¹ Matters went on from bad to worse, apostasy was rife even among some of the high Church officials. In March, 1837, the Prophet as Treasurer, and Sidney Ridgon as Secretary of the ill-fated "Kirtland Safety Society," were arrested upon a charge of violating the banking laws of the State.²² They were adjudged guilty in the

20. Minutes of Conference held in Kirtland Temple, September 3d, 1837. Documentary Hist. Ch., Vol. II, p. 509-10; and note 1 end of Chapter.

21. Documentary History of the Church, Vol. II, p. 488.

22. According to Kennedy the man who entered the complaint was Samuel D. Rounds. "As the law then stood in Ohio," remarks Kennedy, "informers, in certain cases, were granted a portion of the fines imposed. The penalty incurred in unlawful banking was of this character, and accordingly, one Samuel D. Rounds decided to enrich himself, harass the Mormons and vindicate the law by one bold stroke. In the March term of court, he caused the arrest of Ridgon and Smith and demanded

Geauga county Court, but appealed from the decision on the ground that the "Kirtland Safety Society" was not a bank. This question was never ruled upon by the courts, as both Sidney Rigdon and the Prophet were compelled to flee the state for security of their personal safety from false brethren, before the case could be heard.

The breaking up at Kirtland in the closing months of 1837, was well nigh complete. On the 3rd of September, Sunday, a conference was held in the temple at which the dissenters and apostates for the time being were outwitted. Brigham Young early that morning visited the faithful Saints and urged their attendance at the conference, so that when the names of the officers of the Church were presented those in good standing might be sustained by vote of the people; and that those who had become dissenters might be rejected and disfellowshipped.²³ Among these were three of the quorum of the Twelve Apostles, *viz.*, Luke S. Johnson, Lyman E. Johnson and John F. Boynton. They were given an opportunity of confessing and making satisfaction, and this John F. Boynton attempted in the meeting, but his confession was not satisfactory. He attributed his difficulties to the failure of the "Kirtland Bank" which he understood was "instituted by the will of God, and he had been told it would never fail, let men do what they would." This was denounced as untrue by the Prophet. Oliver Cowdery was declared to have been in transgression, but was forgiven and sustained as an assistant counselor in the Presidency of the Church.²⁴ Joseph Smith Sen., Hyrum Smith, John Smith, (Uncle of the Prophet) were also sustained as assistant Presi-

from each, in the name of himself and the state, a penalty of one thousand dollars, incurred by acting on the fourth day of January, 1837, as an officer of a bank not incorporated by the laws of this state" (Ohio), with the result set forth above. Evidently, from the tone of Kennedy's recital of the incident, the prosecution was malicious.

23. History of Brigham Young, *Millennial Star*, Vol. XXV, p. 518. Also Documentary History of the Church, Vol. II, pp. 509, 510.

24. "Dear Brethren: Oliver Cowdery has been in transgression, but as he is now chosen as one of the Presidents or counselors, I trust that he will yet humble himself and magnify his calling, but if he should not, the Church will soon be under the necessity of raising their hands against him; therefore pray for him." From a statement signed by Joseph Smith, (Documentary History of the Church, Vol. II, p. 511). Oliver Cowdery was not present at the above mentioned conference.

dents.²⁵ Four members of the Kirtland Stake High Council were rejected, among the number Martin Harris, one of the Three Special Witnesses of the Book of Mormon. At a meeting held in the Temple one week later, the three Apostles who had been rejected by the Saints made their confessions, and were restored to fellowship, and retained in their office as Apostles.²⁶ This reconciliation and adjustment of matters, however, was not permanent. It is doubtful even if the confessions of the disaffected Apostles were sincere. At any rate, soon afterwards, when the Prophet and Sidney Rigdon were absent in Upper Missouri locating new stakes of Zion for the Saints, now rapidly gathering to that land, the opposition of these three Apostles to the Prophet, and their bitterness towards those who sustained him in the late conference, were manifested in a most determined effort to overthrow the Church. The party opposed to the Prophet called themselves "Reformers," and were under the leadership of Warren Parish, one of the Seventy, and a man of some native force of character. He had been at one time a faithful Elder in the Church, clerk to the Prophet, and companion to Elders David W. Patten and Wilford Woodruff in missionary labors in Kentucky and Tennessee. He was guilty of sexual sin in Kirtland, however, of which he made confession to the Church, and on promising reformation retained his standing.²⁷ He became first a clerk and finally the cashier in the "Kirtland Safety Society Bank," and was guilty of peculation to the extent of more than twenty-five thousand dollars of the funds of the bank.²⁸ Questioned in open court in the case of Grandison Newel *vs* Joseph Smith—which case was tried in June, 1837—as to whether he knew anything "in the character or conduct of Mr. Smith which is unworthy his profession as a man of God," he answered—I do

25. "President Smith then introduced Oliver Cowdery, Joseph Smith Sen., Hyrum Smith, and John Smith for assistant counselors. These last four together with the first three (Joseph Smith Jun., Sidney Rigdon and Frederick C. Williams) are to be considered the heads of the Church, carried unanimously." From minutes of conference, 3rd September, 1837. Documentary Hist. of the Church, Vol. II, p. 509.

26. Documentary History of the Church, Vol. II, p. 512.

27. *Elders' Journal*, Vol. I, p. 57.

28. *Ibid.*, p. 57, 58.

not."²⁹ Yet Warren Parrish kept up a constant agitation among the Saints, insisting that Joseph Smith was a fallen prophet, and that he should be displaced as President of the Church in favor of David Whitmer.

In addition to Warren Parrish and the three Apostles named, Leonard Rich, Stephen Burnett, Sylvester Smith, Cyrus P. Smalling and Joseph Coe were numbered among the leaders of this movement.

Among other things these "Reformers" insisted that the regular authorities in Kirtland had departed from the true order of things by calling the Church "The Church of the Latter-day Saints."³⁰ They proceeded therefore to repudiate this title and adopt what they considered the proper one, "The Church of Christ," and held themselves forth as the "old standard;" they rejected the Prophet, and denounced those who adhered to him as heretics. They met frequently in the temple, and claimed ownership of it, sometimes resorting to violence in their assertion of the right to control it.³¹ Many of the faith-

29. Grandison Newell (a non-Mormon) lodged a complaint before Justice Flint, of Painsville, charging the Prophet with conspiring to take his life. Much reliance was placed on Parrish's testimony by the Prophet's enemies, and the above answer was quite disconcerting to them. The Justice in the preliminary hearing placed the Prophet under five hundred dollar bonds to keep the peace and to appear at the next term of Court. "On the final hearing;" remarks Kennedy, "Smith was discharged, the evidence not being sufficient to make good in the charge." ("Early Days of Mormonism," p. 157-8).

30. See *Ante*, p. —.

31. Eliza R. Snow in her Biography of Lorenzo Snow, her brother, and the fifth President of the Church in the New Dispensation, gives a vivid description of one of these occasions: "They [The dissenters] linked themselves together in an opposing party—pretended that they constituted the Church, and claimed that the Temple belonged to them, and even attempted to hold it.

Warren Parrish, who had been a humble, successful preacher of the Gospel, was the ringleader of this apostate party. One Sabbath morning, he, with several of his party, came in to the Temple armed with pistols and bowie-knives and seated themselves together in the Aaronic pulpits, on the east end of the Temple, while Father Smith and others, as usual, occupied those of the Melchisedec Priesthood on the west. Soon after the usual opening services, one of the brethren on the west stand arose, and just after he commenced to speak, one on the east interrupted him. Father Smith, presiding, called for order—he told the apostate brother that he should have all the time he wanted, but he must wait his turn—as the brother on the west took the floor and commenced first to speak, he must not be interrupted. A fearful scene ensued—the apostate speaker becoming so clamorous that Father Smith called for the police to take that man out of the house, when Parrish, John Boynton, and others, drew their pistols and bowie-knives, and rushed down from the stand into the congregation; John Boynton saying he would blow out the brains of the first man who dared to lay hands on him. Many in the congregation, especially women and children, were terribly frightened—some tried to escape from the confusion by jumping out of the windows. Amid screams and shrieks, the police-

ful Saints during the year of 1837 had removed from Kirtland to Upper Missouri, to which place also many of the Saints from the branches in the eastern states and Canada were migrating. The hope of redeeming Zion had not been abandoned; nor had the previous misfortunes which befell the Saints in Missouri destroyed their faith in the revealed purposes of God with reference to that land. But the migration of faithful Saints from Kirtland Stake of Zion during the time named left dissenters and apostates at the last in the majority in that place, and hence the sad results here chronicled.

The closing scenes of the disasters came with the closing days of 1837, and the early days of 1838. On the 22nd of December Brigham Young, who persisted in declaring both in public and in private that he knew by the power of the Holy Ghost that Joseph Smith was a prophet of God, was compelled to flee from the fury of threatened mob violence. Further stormy scenes in council meetings followed. Men braved the Prophet to his face and charged their misfortunes upon him. The Sheriff was a frequent visitor at Kirtland and mortgage foreclosures followed each other in surprising frequency. The printing establishment was seized "to satisfy an unjust judgment of the county court,"³² and the "*Elders Journal*," which had issued but two numbers of the first volume, was discontinued.³³ Later the printing office with a large amount of paper and many books was sold by the Sheriff to one of the "Reformers;" and on the night of the day of sale (January 14th) the office with its contents and also a small Methodist Chapel standing nearby were burned to the ground.³⁴ On the 12th of January, the Prophet

men, in ejecting the belligerents, knocked down a stovepipe, which fell helter-skelter among the people; but, although bowie-knives and pistols were wrested from their owners, and thrown hither and thither to prevent disastrous results, no one was hurt, and after a short, but terrible scene to be enacted in a Temple of God, order was restored, and the services of the day proceeded as usual."

32. Joseph Smith's comment, *Documentary History of the Church*, Vol. II, p. 528.

33. *The Messenger and Advocate*, the predecessor of the *Elders' Journal*, issued three complete volumes, ending with the September number of 1837. The *Journal*, as stated above, issued but two numbers in Kirtland. It was re-established at Far West in July following, but again only two numbers were issued, when it was discontinued under circumstances to be related in a future chapter.

34. "Stories were put afloat that Mormons of the 'old school' had become incendiaries, in the hope that the blaze would extend to the Temple which they did

and Sidney Rigdon, to avoid the rising storm of another persecution "under the color of legal process," left Kirtland in the night, enroute for the settlement of the Saints in Upper Missouri. They were followed some distance by their enemies, for more than two hundred miles, according to the Prophet,³⁵ but they successfully eluded their pursuers.

NOTES. 1.—THE PROPHET JOSEPH'S CONNECTION WITH THE KIRTLAND BANK: The following passage occurs in Linn's "Story of the Mormons;" (p. 159):

"Smith made a stubborn defence of his business conduct. He attributed the disaster of the bank to Parrish's peculations, and the general troubles of the church to 'the spirit of speculation in lands and property of all kinds,' as he puts it in his autobiography, wherein he alleges that 'the evils were actually brought about by the brethren not giving heed to my counsel.' If Smith gave any such counsel, it is unfortunate for his reputation that neither the church records nor his 'revelations' contain any mention of it."

Doubtless it would have been more satisfactory had the Prophet been more specific in his statement on this point. But it is due to him to say that evidence exists that he sought to stem the tide of evil produced by the mismanagement of the "bank" and the speculations and peculations of some of its officials. Sometime previous to July 7th, 1837, the Prophet resigned his office in the Kirtland Safety Society, disposed of his interest therein and withdrew from the institution, saying

not wish to see left in the hands of their enemies" (Early Days of Mormonism, Kennedy, p. 170). The Prophet's version of the burning is as follows: "By reason of the great persecution against the Saints in that place [Kirtland] the paper [*Elders' Journal*] had to be stopped: and through the craft of wicked men they got possession of the printing office, and knowing they could not hold it, it was burned" (*Elders' Journal*, p. 34—Prospectus). Under date of March 29, 1838, the Prophet wrote to the Presidency in Kirtland: "We have heard of the destruction of the printing-office, which we presume to believe must have been occasioned by the Parrish Party." (Documentary History of the Church), Vol. III, p. 2.

35. Of this flight from Kirtland and the pursuit of his enemies, the Prophet says:

"The weather was extremely cold, and we were obliged to secrete ourselves in our wagons, sometimes, to elude the grasp of our pursuers, who continued their pursuit of us more than two hundred miles from Kirtland, armed with pistols and guns, seeking our lives. They frequently crossed our track, twice they were in the houses where we stopped, once we tarried all night in the same house with them, with only a partition between us and them; and heard their oaths and imprecations, and threats concerning us, if they could catch us; and late in the evening they came into our room and examined us, but decided we were not the men. At other times we passed them in the streets, and gazed upon them, and they on us, but they knew us not. One Lyons was one of our pursuers. (Documentary History of the Church), Vol. III, pp. 2, 3.

that he was satisfied "after so long an experiment [five months] that no institution of the kind, established upon just and righteous principles for a blessing not only to the Church but to the whole nation, would be suffered to continue its operations in such an age of darkness, speculation, and wickedness." (Documentary History of the Church, Vol. II, p. 497). In the August number of the *Messenger and Advocate* he also published the following:

Caution.—"To the brethren and friends of the Church of Latter-day Saints, I am disposed to say a word relative to the bills of the Kirtland Safety Society Bank. I hereby warn them to beware of speculators, renegadoes and gamblers, who are duping the unsuspecting and the unwary, by palming upon them those bills which are of no worth here. I discountenance and disapprove of any and all such practices. I know them to be detrimental to the best interests of society, as well as to the principles of religion."

Joseph Smith, Jun.

In an editorial in the August (1838) number of the *Elder's Journal* the Prophet details an account of the peculations of Warren Parrish as follows:

"He had the handling of large sums of money, and it was soon discovered, that after the money was counted and laid away, and come to be used and counted again, that there was always a part of it missing; this being the case, repeatedly, and those who owned it, knowing that there was no other person but Parrish who had access to it, suspicion of necessity fixed itself on him. At last, the matter went to such lengths, that a search warrant was called for, to search his trunk. The warrant was demanded at the office of F. G. Williams, Esq., but he refused to grant it, some difficulty arose on account of it. The warrant, however, was at last obtained, but too late, for the trunk in question was taken out of the way, and could not be found; but as to his guilt, little doubt can be entertained by any person, acquainted with the circumstances. After this affair, Parrish began to discover that there was great iniquity in the Church, particularly in the editor of this paper" (i. e. Joseph Smith).

Lucy Smith, mother of the Prophet, in her history of him says that it was Joseph who demanded this warrant in order to bring Parrish to just punishment under the law, and save the credit of the "bank." First she refers to a discourse which the Prophet delivered in Kirtland after his return from the east where he had been in company with Martin Harris. In that discourse the Prophet felicitated the Saints on the happy condi-

tions that obtained in Kirtland but warned them of a change in prospect, and such a change as would lead some of them to be willing to take his life, and they would take it, if God would permit the deed. "But brethren," he said, "I now call upon you to repent, and cease all your hardness of heart, and turn from those principles of death and dishonesty which you are harboring in your bosoms, before it is eternally too late, for there is yet room for repentance."

After this reference to the Prophet's discourse Lucy continues: "In the fall of 1836, a bank was established in Kirtland. Soon after the sermon, above mentioned, Joseph discovered that a large amount of money had been taken away by fraud from this bank. He immediately demanded a search warrant of Esquire F. G. Williams, which was flatly refused. 'I insist upon a warrant,' said Joseph, 'for if you will give me one, I can get the money, and if you do not, I will break you of your office.' 'Well, break it is, then,' said Williams, 'and we will strike hands upon it.' 'Very well,' said Joseph, 'from henceforth I drop you from my quorum, [in First Presidency] in the name of the Lord.' " ("History of the Prophet Joseph" by Lucy Smith, ch. 45).

This agrees with the Prophet's statement that when application was made to F. G. Williams for a search warrant and he refused it, "some difficulty arose on account of it."

This movement of the Prophet against Parrish's speculation occurred previous to June, 1837,³⁶ and hence previous to the Prophet's withdrawal from the ill-fated institution and disposal of his interest therein; and his "Caution" against the validity of the Safety Society's notes. Each of these several actions, was a protest against the course the institution was following, after it had fallen under corrupt management. And in view of these several actions and warnings against dishonest methods is not the Prophet warranted in saying that the disasters of the Safety Society arose from its not giving heed to his counsel? And is it fair to insinuate, as Linn does, that our Church records give no evidence that the Prophet made any such efforts, or gave any such counsel?

36. This date is fixed in the following manner: In the Prophet's editorial in the *Elders Journal*, after reciting the facts stated in the above quotation, he relates how Parrish had an opportunity of proving the iniquity of the Prophet in open court in the case of Grandison Newel *vs.* Joseph Smith; and yet as a witness in that case he testified that he knew nothing in the character or conduct of Mr. Smith unworthy his professions as a man of God; and the case above referred to, Newel *vs.* Smith, according to Kennedy, was tried on the 3rd of June, 1837 ("Early days of Mormonism," p. 157).

2.—THE LOCATION AND ENVIRONMENT OF KIRTLAND JUSTIFIED THE INDUSTRIAL AND BUSINESS VENTURES OF THE SAINTS: Not all of those who may be classed as Anti-Mormon writers censure the action of the Saints in their efforts to found a city at Kirtland, with industrial, merchantile and banking institutions. Some of this class of writers recognize the right of the Saints to engage in these enterprises, as well as other people, and admit that there were natural advantages at Kirtland which justified the hope of success in such a movement. Among those who view matters from this standpoint is Kennedy, an author often cited in our narration. On the point in question he says:

“Looked at from the dispassionate ground of a business view alone, one can hardly criticise the Mormon leaders for many of the ventures into which they were led. It was a time when the canals of New York and Ohio, the waters of Lake Erie and the Ohio River, and the high-ways between the East and the great West, were filled with people bent upon the founding of new homes in the new lands, and lured by a future that, however bright it might have seemed, has been far out run by the magnificent developments of the half-century past. Cities were springing up as if by magic. Settlements were made to-day where the forest had stood untenanted and unbroken but yesterday. Farms were marked out in lands that were on the far frontier a year before. With any advantage in natural gift or commercial creation, one spot seemed equal to the rest in a hope for the future, and those whose interests were staked upon it felt justified in calling the attention of the world to their possessions, and in offering to others a part of the harvest they hoped to reap. Kirtland lay upon one of the roadways the hand of the pioneer had cut through the forests of Northern Ohio, while the waters of Lake Erie could be seen from her temple roof. The nucleus of a large town seemed to have been formed in the settlement of so many strangers about the temple, and the limits to which it might yet grow could only be defined by the future. Those who had seen that which had already been done, had a reason for their hope of yet greater things in times to come.” “Early Days of Mormonism,” pp. 153-4.

CHAPTER XXVII

THE PEACEFUL EXODUS FROM CLAY COUNTY

Movements in Missouri must now be noted. When the people of Clay county welcomed the exiled Saints into their midst (1833-1834) the prevailing thought was that their stay would

only be temporary. When it became evident that they would not be returned to their Jackson county homes very soon, if at all, from the view point of the "old settlers," there was expressed some misgivings among the people of Clay county as to the propriety of permitting the exiles to remain. Also some of the Saints were purchasing lands and making homes which of course looked like permanent settlement. To this manifest uneasiness of the "old settlers" the leading Elders of the Church replied that they did not regard Clay county as their permanent home, but looked upon it merely as a temporary asylum which they would promptly leave whenever a respectable portion of the citizens of said county should request it.¹ On the 29th of June, 1836, at a mass meeting held at Liberty court house, which was widely attended, a series of resolutions was passed that culminated in calling upon the Saints to now fulfill the pledge which their leaders had given some two years previously, by withdrawing from the county. It is stated in the minutes of this public meeting that the Saints were "charged by those opposed to them with an unfriendly determination to break that pledge; that their rapid emigration, their large purchases and offers to purchase land, the remarks of the ignorant and imprudent portion of them that this country is destined by heaven to be theirs,—are received and looked upon, by a large portion of this community as strong and convincing proofs that they intend to make this country their permanent home, the center and general rendezous of their people."

The reasons why the Saints had become objectionable as permanent citizens to many of the people of Clay county were stated to be:

1. Their religious tenets were so different from the present churches of the age, that this always had and always would excite deep prejudice against them in any populous country where they might locate.

2. They were eastern men whose manners, habits, customs,

1. Minutes of a public meeting held at the Court House, Liberty, Clay county, the 29th of June, 1836—Documentary History of the Church, Vol. II, p. 449.

and even dialect were essentially different from the Missourians.

3. They were non-slave holders, and opposed to slavery, which excited deep and abiding prejudices in a community which tolerated and protected slavery.

4. Common report had it that they kept up a constant communication with the Indian tribes on the frontier; and declared from the pulpit that the Indians were a part of God's chosen people, destined by heaven to inherit with them the land of Missouri.

"We do not vouch for the correctness of these statements," said the committee which draughted the report, "but whether they are true or false, their effect has been the same in exciting our community."

The causes named are represented as having raised a prejudice against the Saints, and a feeling of hostility, that the first spark might—and the committee deeply feared would—ignite into all the horrors and desolations of a civil war, and it was therefore

"Resolved, That it is the fixed and settled conviction of this meeting, that unless the people commonly called Mormons, will agree to stop immediately the immigration of their people to this country, and take measures to remove themselves from it, a civil war is inevitable.

We do not contend that we have the least right under the constitution and laws of the country to expel them by force. But we would indeed be blind, if we did not foresee that the first blow that is struck at this moment of deep excitement, must and will speedily involve every individual in a war, bearing ruin, woe, and desolation in its course. It matters but little how, where, or by whom the war may begin, when the work of destruction commences, we must all be borne onward by the storm, or crushed beneath its fury.

The saints were told that if they had one spark of gratitude they would not willingly plunge a people into civil war who had held out to them the friendly hand of assistance in the dark hour of their distress. A committee of ten was appointed to present these views to the leading elders among the "Mormons" with the understanding that if the Saints would consent to move as requested, the gentlemen who had called the

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THE KIRTLAND SAFETY SOCIETY BANK

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meeting, and now asked them to leave Clay county, would use all their influence to allay the excitement among the citizens of the county.

The reply of the Saints to the request to remove from Clay county was adopted at a general mass meeting, held two days after the citizens meeting. In their reply they expressed their appreciation of the kindness shown them by the people of Clay county, and then proceeded to enter formal denial of the several things charged against them by those opposed to them, and which I quote from the body of their answer to the citizens of Clay county.

“We deny having claim to this, or any other county, or country, further than we shall purchase the land with money, or more than the Constitution and laws allow us as free American citizens. We have taken no part for or against slavery; but are opposed to the abolitionists, and consider that men have a right to hold slaves or not, according to law.

“We believe it just to preach the Gospel to the nations of the earth, and warn the righteous to save themselves from the corruptions of the world; but we do not believe it right to interfere with bond-servants, nor preach the Gospel to them, nor meddle with nor influence them in the least to cause them to be dissatisfied with their situation in this life; thereby jeopardizing the lives of men. Such interference we believe to be unlawful and unjust, and dangerous to the peace of every government allowing human beings to be held in servitude.

“We deny holding any communications with the Indians; and mean to hold ourselves as ready to defend our country against their barbarous ravages, as any other people. We believe that all men are bound to sustain and uphold the respective governments in which they reside, while protected in their inherent and inalienable rights by the laws of such governments; and that sedition and rebellion are unbecoming every citizen thus protected, and should be punished accordingly.”

They held that it would be useless to enter further into detail of their faith or mention their sufferings on account of it; but

“*Resolved*, First: For the sake of friendship, and to be in covenant of peace with the citizens of Clay county, and they to be in a covenant of peace with us, notwithstanding the nec-

essary loss of property, and expense we incur in moving, we comply with the requisitions of their resolutions in leaving Clay county, as explained by the preamble accompanying the same; and that we will use our exertions to have the Church do the same; and that we will also exert ourselves to stop the tide of emigration of our people to this county.

Resolved, Second: That we accept the friendly offer verbally tendered to us by the committee yesterday, to assist us in selecting a location, and removing to it."

The reply from the Saints was perfectly satisfactory to the people of Clay county, and the latter made some arrangements to assist the former in complying with their request; that is, two persons from each township were appointed to raise money by subscription to aid the "Mormons" who might need assistance to leave the county, and also arrange for some suitable person to assist them in selecting a new location for settlement; and recommend the "Mormons" to the good treatment of the citizens in surrounding counties; and asked them to assist the exiles in selecting some abiding place, where they would be, in a measure, the only occupants of the land; and where none would be anxious to molest them.

At this time the whole northern part of Missouri was but sparsely settled, and but few counties were organized. It therefore seemed to be the most suitable place that could be suggested for their gathering together where they might live in peace, pending the arrival of that time when they could be restored to their possession in Jackson county—when Zion could be redeemed. It was to this region that influential friends in Clay county called the attention of the Saints in the summer of 1836; and in the month of October a number of Mormon families began settling on Shoal Creek—a tributary of Grand River—about thirty or thirty-five miles north and a little east of Liberty in Clay county. They soon petitioned the legislature for an enactment organizing a new county. The petition was granted and the new county organized in December, 1836.

It is worthy of note in passing that this arrangement of organizing a new county to be inhabited by the Saints was looked upon as a happy solution of a difficult problem, as appears from the following statement in the "History of Caldwell County:"

“When the Mormon leaders had determined upon the occupation of this portion of Missouri, certain public men of the state thought they had discovered an easy and satisfactory solution of the Mormon problem. The Mormons had already selected Far West as their principle town and were clustering about it in considerable numbers, and at various points on lower Shoal Creek. They seemed well enough pleased with the county, and were coming by bands and companies every week.

Let us fix up a county expressly for the Mormons, exclaimed certain politicians and public men. Let us send all the Mormons in the state to that county and induce all Gentiles therein to sell out and leave. The proposition suited everyone. The Gentiles said, ‘If the Mormons are willing to go into that prairie country and settle, let them have it and welcome.’ The Mormons said, ‘If we may be allowed to remain peaceably and enjoy our religion, we will go into any country that may be set apart for us, no matter how wild and unbroken it may be, and we will make it to blossom as the rose. If we obtain political control of a county we will honestly administer it and be loyal in all things to the state government over us.’

“Arrangements were soon made. Every Gentile in the proposed new county that could be induced to sell his possessions at a reasonable price was bought out, and his place taken by a Mormon. The authorities of the church agreed that no Mormons should settle in any other county without the previous consent of the settlers already there.”²

It is evident that in the view of the Missourians the Saints were getting no choice part of the state when they accepted this prairie country for their habitat. They were simply taking that which the Missourians thought to be worthless,³ hence the

2. History of Livingston and Caldwell Counties, National Historical Company, St. Louis, 1886.

3. “The first farms were opened in the woods. * * * It is alleged that the first prairie farm was opened by T. W. Higgins in the spring of 1842. In the winter of that year he built his house fairly out on the bleak prairies, and when he selected the site the snow was fifteen inches deep and the thermometer below zero. The old settlers laughed at what they deemed his folly, and declared that nobody but a Yankee would settle so from timber. But they, as well as Maj. Higgins, lived to declare that nobody but a tom-fool would settle in the timber when there was good, rich prairie to be had.

Under the circumstances it was but natural that the first settlers should have an unfavorable opinion of the prairies as to their fitness for agricultural lands. Covered with thick, strong grass, in wet seasons the moisture after a rain was held in the ground near or on the surface a long time before being absorbed or evaporated, and caused the belief that the soil would always be “soggy,” and that in even moderately wet seasons crops would always drown out. Then there was the tough sod, which no ordinary plow then in use would turn; the land could not be enclosed

remark—above—"If the Mormons are willing to go into that prairie country and settle, let them have it and welcome."

Hon. Alexander W. Doniphan, then a representative from Clay county to the Missouri legislature, was doubtless the one who proposed this plan of settling the Mormon problem of that day, and to him in the state legislature was assigned the work of preparing the bill for the creation of the new county. Fearing that the organization of a county especially for the Mormons might meet with opposition, a bill creating two counties out of the northern part of what was Ray county, one to be named Caldwell and the other Davies,⁴ was brought in by Doniphan and passed without much opposition. Of course the matter of Caldwell being a county created and set apart for Mormon settlement, as also the agreement on the part of the Saints that they would not settle in other counties, "without the previous consent of the settlers already there," had to be merely an understanding between the Missourians and the Saints, as no such an agreement could be enacted into law since it would be an abdication of one of the rights of citizenship under the Constitution on the part of the Saints; and an assumption of unconstitutional power on the part of the Missourians, for them to forbid citizens of the state of Missouri or of any other state of the Union to settle where they pleased, since it is part of the Constitution itself that "the citi-

with a brush fence, as in the timber, but rails must be made and hauled; there were but few springs on the prairies, etc., etc.

Those who wrote of the prairies at that day did not regard them with much favor. Mr. Lewis C. Beck, an accomplished scientist, writing in his *Gazetteer of Missouri* (1823), of Ray county, to which Caldwell then belonged, has this to say (p. 244) of the prairies:—

"The prairies, although generally fertile, are so very extensive that they must, for a great length of time, and perhaps forever, remain wild and uncultivated." (History of Caldwell county, p. 96, National Historical Company, 1886).

4. According to General Doniphan these counties were named after two men, pioneers and soldiers, who had been associated with his father, Joseph Doniphan, a soldier of the Revolution, and one of the pioneers that accompanied Daniel Boone to Kentucky. In the latter state Joseph Doniphan "belonged to a company of Indian scouts and fighters, commanded by Capt. Mathew Caldwell. Of this Capt. Caldwell Gen. Doniphan often heard his father speak as a brave and gallant soldier, and a skillful Indian fighter. Col. Joseph H. Daviess, who was killed under Gen. Harrison at the battle of Tippecanoe, Indiana, in 1811, was also an acquaintance and friend of Mr. Joseph Doniphan. When Gen. Doniphan drew up the bill for the organization of the two new counties, he named one of them for Col. Daviess, and the other Caldwell, in honor of his father's old captain." (History of Caldwell County, p. 105).

zens of each state shall be entitled to all privileges and immunities of citizens in the several states.’”⁵

Under this agreement the Saints rapidly left Clay county and began taking possession of the new county created for them. It amounted to a second exodus, albeit a peaceful one. The Saints made special agreements with the citizens of DeWitt in Carroll county, and with the citizens of Daviess county, by which they could settle among them. “It is claimed,” says the writers of the History of Caldwell county, “that all the Mormons settled outside of this [Caldwell] county, were made with the prior consent of the inhabitants then living where the settlements were made; the consent was obtained, in nearly every instance, by the payment of money, either for the lands of the pioneer Gentiles or for some articles of personal property they owned. Money was scarce at that day, and although the pioneers did not approve Mormon doctrines, they did approve of Mormon gold and silver, and they were willing to tolerate the one if they could obtain the other. But afterward certain of the Gentiles claimed that the Mormon occupation had been by stealth and fraud, and perhaps in some instances this was true.’”⁶ The last remark is wholly gratuitous. It is not true, and there is no evidence that warrants the “perhaps” of the quotation.

DeWitt was located on the Missouri River, near the mouth of Grand River, which it was hoped could be made a navigable stream.⁷ By securing this location at the mouth of Grand River,

5. Constitution of the United States, Art. IV, Sec. 2. “It is obvious,” remarks Judge Story, in commenting upon this passage, “that if the citizens of the different states were to be deemed aliens to each other, they could not inherit, or hold, or purchase real estate, or possess any political or municipal privileges in any other state, than that, in which they were born. And the states would be at liberty to make laws, giving preferences of rights and offices, and even privileges in trade and business, to those who were natives, over all other persons, who belonged to other states; or they might make invidious discriminations between the citizens of different states. Such a power would have a tendency to generate jealousies and discontents, injurious to the harmony of all the states. And, therefore, the Constitution has wisely created, as it were, a general citizenship, communicating to the citizens of each State, who have their domicil in another, all the privileges and immunities enjoyed by the citizens of the latter.

6. History of Caldwell County, p. 118.

7. “Grand River is a large, beautiful and rapid stream, during the high waters of spring, and will undoubtedly admit of navigation by steam-boat and other craft.” Remark of Joseph Smith, Documentary History of the Church, Vol. III, p. 34.

and one about fifty-five miles higher up the stream, in Daviess county, a means of commercial ingress and egress to the Upper Missouri country allotted to the Saints had been provided that spoke well for the foresight of the Church leaders. The right of the Saints to settle in DeWitt was secured for the Saints in the spring of 1838 by Elders George M. Hinkle and John Murdock.

The upper settlement on Grand River was called "Adam-on-di-Ahman," generally abbreviated to Diahman. The site was selected by Joseph Smith in May, 1838, and is in township sixty; ranges twenty-seven and twenty-eight, sections twenty-five, thirty-six, thirty-one and thirty. A number of families of Saints had been settled at this point for several months before the arrival of Joseph Smith who called the place "Spring Hill;" "but by the mouth of the Lord," said the Prophet, "it was named Adam-on-di-Ahman"⁸ "because" said He, "it is the

8. Doctrine and Covenants, Sec. 116. Beyond what may be gathered from the above explanation, nothing is known as to the meaning of the phrase, "Adam-on-di-Ahman." John Corrill says, though on what authority is not known, "The interpretation in English is, 'The Valley of God in which Adam blessed his children,'" (Brief History of the Latter-day Saints, p. 28). The phrase was used incidentally in a revelation about six years before this, *viz.* in 1832, where, the Lord is spoken of being the Holy One of Zion, "who hath established the foundations of Adam-on-di-Ahman"—(Doc. and Cov., Sec. 78: 15). Again in a revelation given March 28, 1835, the declaration is made that three years previous to his death Adam gathered certain of the ancient Patriarchs together "into the Valley of Adam-on-di-Ahman, and there bestowed upon them his last blessing." Shortly after this W. W. Phelps wrote his hymn—"Adam-on-di-Ahman." *Messenger and Advocate*, June, 1835.

"This earth was once a garden place,
With all her glories common,
And men did live a holy race,
And worship Jesus face to face,
In Adam-on-di-Ahman.

We read that Enoch walked with God,
Above the power of mammon,
And Zion spread herself abroad,
And Saints and angles sang aloud,
In Adam-on-di-Ahman.

Her land was good and greatly blest,
Beyond old Israel's Canaan,
Her fame was known from east to west,
Her peace was great, and pure the rest,
Of Adam-on-di-Ahman.

Hosanna to such days to come,
The Saviour's second coming,
Then all the earth in glorious bloom
Affords the Saints a holy home,
Like Adam-on-di-Ahman."

place where Adam shall come to visit his people or the Ancient of Days shall sit as spoken of by Daniel the Prophet.”⁹

A short distance south of “Spring Hill,” or Adam-on-di-Ahman, was the home of Lyman Wight, at the foot of “Tower Hill,” a name given to the place by Joseph Smith “in consequence of the remains of an old Nephite alter or tower,” he explains, “that stood there.”¹⁰ A photogravure of Wight’s house is published in this chapter, being the only Mormon home left standing in “Di-Ahman,” or its vicinity. It may also be said to be a typical Missouri house of the period.

About thirty miles southwest of “Di-Ahman,” in Caldwell county, was far West, the principles settlement of the Saints in Upper Missouri. It was located about one mile south of Shoal Creek, a tributary of Grand River, running eastwardly through the middle of the county; while half a mile south ran Goose Creek, a tributary of Shoal. Both streams were capable of furnishing water power for manufacturing purposes. The city was five miles northwest of the town of Kingston, the present county seat of Caldwell county, and was the highest swell of land in that high rolling prairie country, and

9. Daniel’s description of the events here referred to is found in the 7th chapter of his prophecies. The description is very imposing, hence I quote it: “I beheld till the thrones were cast down, and the Ancient of Days did sit, whose garment was white as snow, and the hair of His head like the pure wool: his throne was like the fiery flame, and his wheels as burning fire. A fiery stream issued and came forth from before Him: thousand thousands ministered unto Him and ten thousand times ten thousand stood before Him: the judgment was set, and the books were opened. * * * I saw in the night visions, and, behold, one like the Son of Man came with the clouds of heaven, and came to the Ancient of Days, and they brought Him near before Him. And there was given Him dominion, and glory, and a kingdom, that all people, nations, and languages, should serve Him: His dominion is an everlasting dominion, which shall not pass away, and His kingdom that which shall not be destroyed.”

10. Documentary History of the Church, Vol. III, p. 35. This old ruin has been quite generally accepted as marking the site of Adam-on-di-Ahman, an error, since “Tower Hill” is some half a mile east of that place; but because of the word “Adam” in the foregoing phrase, the alter or tower is supposed to have some association with the first patriarch of our race, hence it has been called “The grave of Adam” (History of Caldwell County, p. 118. Also History of Daviess County by D. L. Kort). It will be seen by reference to the text of this history however, that Joseph Smith assigned the ruin to Nephite origin; and it was but one of a number of such stone mounds or ruins in that vicinity: “We discovered some antiquities about one mile east of the camp [the camp was in the vicinity of Wight’s house], consisting of stone mounds, apparently erected in square piles, though somewhat decayed and obliterated by the weather (erosion) of many years. These mounds were probably erected to secrete treasures.” (Documentary History of the Church, Vol. III, p. 37).

is visible from a long distance.¹¹ The site of Far West was chosen by John Whitmer and W. W. Phelps in the summer of 1836, the entry being filed on the 8th of August of that year. The north half was entered in the name of W. W. Phelps, the south half in the name of John Whitmer; but both Phelps and Whitmer held the land in trust for the Church.¹² Some misunderstandings arose in the Church in Missouri concerning the entry of this town site by the above two brethren. The money used in the purchase of it had been collected among the Saints in Kentucky and Tennessee (at least fourteen hundred dollars of it) by Elders Thomas B. Marsh, President of the Twelve Apostles, and Elder Elisha H. Grovers, who turned over the amount named above to W. W. Phelps and John Whitmer, as constituting the proper authorities to receive it, they being the counselors in the presidency of the Church in Missouri, and David Whitmer, the President, being absent in Kirtland. These two brethren so presumed to act independently of the High Council of the Church in Missouri, and without consultation with others, that they seemed to be conducting matters with a high hand, also in their own interests—for personal gain. They laid out the public square; they appointed and ordained a committee to supervise the building of a house unto the Lord—a temple; and appropriated to themselves the profits arising from the sale of town lots, though from these profits, it must be said for them, they made large donations or appropriations (\$1,000 each) to the house of the Lord in contemplation. It is very probable that no wrong was intended by these brethren, but acting as they did without consultation with the High Council

11. Standing on what used to be the public square of the city, on the occasion of my visit there in 1884, the writer obtained an excellent view of all the surrounding country. Vast fields of waving corn and meadow land were stretched out on all sides, as far as the eye could see. Several towns and villages, with their white church spires gleaming in the sun-light, were in plain view, though from five to ten miles distant. Away to the east is Kingston, the present county seat of Caldwell; further to the north-east is Breckenridge, Hamilton and Kidder; to the west is Plattsburg, and south is the quaint village of Polo. All these places are within easy vision from the site of Far West, and increase the grandeur of the scene. The site chosen for Far West is the finest location for a city in the county, but notwithstanding all the advantages of the location, Far West has been abandoned and is merely a land of successive corn-fields.

12. History of Caldwell County, p. 120.

and other brethren equally interested in the up-building of Zion with them, and in utter disregard of the principle that "all things shall be done by common consent in the Church, by much prayer and faith,"¹³ naturally gave offense, and awakened suspicion of wrong intentions. This, in the spring of 1837, led to a somewhat extended investigation of their conduct by the High Council and two of the Twelve Apostles then in Missouri, Elders Thomas B. Marsh and David W. Patten. The protracted hearing finally resulted in an amicable adjustment of differences. The town site and some other lands entered by Elders Phelps and Whitmer, together with the profits arising from the sale of the lands, was turned over to the Bishop of Zion—Edward Partridge—for the benefit of Zion, and the two brethren Phelps and Whitmer were released from the obligation to pay the \$2,000 they had subscribed to the building of the proposed temple.¹⁴ This settlement was still further confirmed by a conference of the Church held at Far West in November, 1837, at which the Prophet and Sidney Rigdon were present, and where both Elders Whitmer and Phelps made explanations and confessions of their error, and were continued in their ecclesiastical¹⁵ positions.

In laying out Far West the general plan of laying off the cities of Zion was followed:¹⁶ *viz*: The town site was made one mile square, divided by streets running at right angles into regular blocks, except that a large public square was laid off in the center of the town, designed for a temple site and other public buildings. This square was approached from the four points of the compass by avenues, eight rods wide. All the other streets were five rods wide. Such was the rapid influx of the Saints into Caldwell county, however, that in November, 1837, it was decided to double the size of the city platt by making it two miles square, and the blocks were so enlarged as to contain four acres each instead of being, as at first designed, 396 feet square.

13. Doctrine and Covenants, Sec. 26.

14. See Documentary History of the Church for minutes of above investigation. Vol. II, pp. 483-4, foot note.

15. *Ibid.*, pp. 522-524.

16. See *Ante*, ch. XXII.

Such was the location of Far West. Caldwell county in 1836 was a wilderness. By the spring of 1838 the population was more than 5,000; of which more than 4,900 were Latter-day Saints.¹⁷ At Far West, by that time, there were one hundred and fifty houses, four dry goods stores, three family groceries, half a dozen blacksmith shops, a printing establishment and two hotels. A large and comfortable school house had been built in 1836,¹⁸ and served also as church and court house. During the summer of 1838 the population of Far West, together with all other settlements of the Saints in Upper Missouri, were greatly augmented from Canada,—whence came one company of two hundred wagons—from the eastern states, and especially from Kirtland, Ohio, and its vicinity. One company of over five hundred souls—one hundred and five families—made the journey from Kirtland in one company, under the leadership of the First Council of the Seventy, and on arriving among the Saints in Upper Missouri, settled at “Diahman,” where they arrived on the 4th of October, having traveled nine hundred miles from Kirtland Temple.¹⁹ They were given a most cordial welcome at Far West before moving to Diahman, and the description of that reception by the Prophet exhibits the spirit in which this gathering of the people was being carried out:

“The Kirtland Camp arrived in Far West from Kirtland. I went in company with Sidney Rigdon, Hyrum Smith, Isaac Morely and George W. Robinson, and met them some miles out, and escorted them into the city, where they encamped on the public square directly south, and close by the excavation for the Lord’s house. Here friends greeted friends in the name of the Lord. Isaac Morely, Patriarch at Far West, furnished a beef for the camp. President Rigdon provided a supper for the sick, and the brethren provided for them like men of God, for they were hungry, having eaten but little for several days,

17. History of Caldwell County, p. 118.

18. “There were also many persons of education and accomplishments. (i. e. among the Saints). School teachers were plenty and schools were numerous. * * * The Mormons very early gave attention to educational matters. There were many teachers among them and schoolhouses were among their first buildings” (History of Caldwell County, p. 121).

19. The Journal of this company’s travels is published *in extenso* in the Documentary History of the Church, Vol. III, chs. IX and X.

and having travelled eleven miles this day; eight hundred and sixty miles from Kirtland, the way the camp traveled."

Of the Camp's arrival at "Diahman" the Prophet in his journal said:

"This is a day long to be remembered by that part of the Church of Jesus Christ of Latter-day Saints, called 'The Camp,' or 'Kirtland Camp No. 1,' for they arrived at their destination and began to pitch their tents about sunset, when one of the brethren living in the place proclaimed with a loud voice: "*Brethren, your long and tedious journey is now ended; you are now on the public square of Adam-ondi-Ahman. This is the place where Adam blessed his posterity, when they rose up and called him Michael, the Prince, the Arch-angel, and he being full of the Holy Ghost predicted what should befall his posterity to the latest generation.*"

It was most unfortunate for the state, that the "old settlers" throughout Upper Missouri did not give to these people a hearty welcome; for they were of a class much needed at the time in that part of the state. The fact that the Saints had many educated people among them, that school teachers were numerous in their rapidly forming settlements, and that they early gave attention to educational interests—has already been established by Non-Mormon authority.²⁰ The same authority, after saying that the majority of the Mormons were poor, that many of them were able only to enter and improve about forty acres of land; that most of their houses were cabins; that like other pioneers they had come to Upper Missouri to better their conditions; that to worship God as they pleased and to be with their brethren were, of course, considerations; that every head of a family was guaranteed a home, and if he was unable to buy one it was given him from the lands held by the trustees of the Church—then adds: "Among so many, however, there could but be those of some wealth, as well as craftsmen of

20. See *Ante*, note 18, this chapter. Under the Chapter subdivisions "The Firsts," the "History of Caldwell County" says: "The first schools were taught by Mormons." Then referring to the local educational work at Kingston, the present county seat, the Historian says: "In the vicinity of Kingston the first school was taught by a young lady Mormon, Miss Mary Ann Duty, in an abandoned log cabin on Log Creek. This was in the summer of 1838." (*History of Caldwell County*, p. 99).

various kinds, skilled mechanics and artisans. There were also many persons of education and accomplishment.’’²¹

Had the writer of this History of Caldwell county tried to describe the ideal elements essential to successful colonization of a frontier country, instead of describing the Latter-day Saints and the motives that were the incentives to their coming to Upper Missouri, and the motive power of their industrial activities, he could not have succeeded better than he has in giving his description of the Latter-day Saints. An enlightened statesmanship would have welcomed such a population to such a country as Upper Missouri, and protected them in their property, religious, and political rights; for in this “Mormon” population, as described by this Caldwell county historian, is every motive and every element essential to successful colonization: conditions, in the main, which enforce small holdings in land, which means more careful and more intense cultivation; skilled artisans of a variety of vocations; industry; frugality; community sympathy touched by religious sentiments, that would make for mutual, individual and community helpfulness. What might not have been hoped for had this community been permitted, unmolested, to have worked out their destiny under the operation of these industrial, social and religious ideas?

21. History of Caldwell County, p. 119.

THE BILBOES AND THE STOCKS

HOW THE NEW ENGLAND COLONISTS PUNISHED WRONGDOERS

BY LESLIE IRVING

THE idea that a punishment, to be effective, must subject the victim to humiliating publicity and personal obloquy, did not originate as a New World idea. For centuries this policy had been in force in nearly all the European countries, and, despite the fact that it had not proved successful as a remedial agent, was still pursued at the time that the Mayflower set sail for America.

Whether the first colonists brought the bilboes to New England is not known, but if they did not come in the Mayflower they must have followed shortly, for not many years passed before we begin to find mention of them. At first the refractory youth are merely threatened with an introduction to the bilboes, but, finally, threats apparently being of no avail, Jams Woodward was sentenced to "be sett in the bilbowes for being drunk at the Newe-towne" (Cambridge). This entry may be found in the records of the court of Boston, under date of August 7, 1632.

From that time the use of the bilboes became more and more frequent, and the offenses for which this mode of punishment was used were most varied in character. One colonist suffered this indignity for having sold powder and shot to the Indians—a very serious crime in those days, we may be sure. Many were thrust into the bilboes for drunkenness, and almost as many for "swearynge." In 1635, Griffin Montagne paid this penalty for stealing boards, while, in the same year, another colonist suffered a similar punishment for having "sleited the magistrates in speaches." In fact, to judge from the records, the bilboes were regarded as a fitting penalty for almost any crime from that of drinking overmuch spirits to actual sedition.

And, if an opinion may be based upon the descriptions of the

infliction of this penalty, as shown in the old prints, a more degrading and uncomfortable mode of punishment is would be hard to devise. The bilboes consisted of a long, heavy bar of iron, over which were two sliding shackles, somewhat similar to handcuffs, into which the legs of the offenders were thrust. When thus fixed, the shackles were locked, after which they were often raised sufficiently to compel the criminal to lie on his back with his feet high in the air, a position which was certainly painful enough to justify Shakespeare's remark in *Hamlet*: "Methought I lay worse than the mutines in the bilboes."

While the bilboes may have been used in other places, court records seem to indicate that this form of punishment was chiefly confined to Boston. Thus when, as happened later, it became the custom to punish offenders in two places, that their humiliation and degradation might be the greater, those who were taken from the bilboes in Boston were thrust into the stocks at Salem.

It was also customary to inflict these punishments on meeting, or market days, or on other occasions when the towns would probably be crowded with the people from the surrounding country. Naturally, a man or woman—for women were not exempt from the penalty of the bilboes—in such a plight proved a great attraction, and sad indeed must have been the fate of those who were thus trussed up before the crowd that gathered around them with its jeers and insulting laughter.

The length of sentences to the bilboes varied from a few hours to many, the severity of the penalty being due apparently more to the temper of the magistrate than to the nature of the offense against the law, but such punishments were usually so arranged that they would end with a visit from the minister, who piously chided the criminal for having given way to the temptation to sin.

Outside of the New England colonies the bilboes were scarcely known. In New Amsterdam the Dutch flogged and banished the criminals who escaped execution. In Virginia, however, the bilboes were used for a brief period, their provost-marshal receiving a fee of ten shillings for each person that he "laid by the heels."

The use of the bilboes might have extended, or the instruments of torture might have been maintained as a form of punishment

for a much longer period if it had not been so hard to procure them. Those which were used so effectually in Massachusetts and Virginia were brought from England, but it seems that few were imported, with the result that other towns, finding themselves in need of some such shackles, and being unable to secure the bilboes, accepted the most reasonable alternative possible and adopted the stocks as a mode of public chastisement.

As stocks were made entirely of wood, with the exception of a few bolts, and wood could be had without much trouble beyond that of cutting it, they soon came into such general use that, in 1639, even Boston decided to dispense with the bilboes, and Edward Palmer was commissioned to supply the "planks and wood-work" for the stocks.

That he carried out his commission there can be no doubt, for, strangely enough, he was the first person to sit in them—the crime committed being that of the extortion practiced in charging the town one pound thirteen shillings and seven pence for the lumber which he furnished. For this early attempt at graft, Carpenter Palmer was sentenced to pay a fine of five pounds and sit for one hour in the new stocks—a method of discouraging excessive charges that might with good effect be adopted in this day.

About 1635, the stocks were regarded as so necessary an instrument of correction that every town was instructed to build them. Most of the towns complied, but, in 1638, Newbury and Concord were fined for still being stockless. New Hampshire, Rhode Island and Connecticut adopted similar contrivances, and, in nearly all the other colonies, the stocks became a familiar object, although, in a few instances, as in New York, the courts favored the lash. Some townships adopted the method of compelling their first great malefactor to build the stocks in which he was to sit, and, at the conclusion of his punishment the authorities retained the instrument for use with other offenders. This occurred at Hungar's Parish, Va., in 1633, when Henry Charlton was convicted of the charge of slandering the local minister, a Mr. Cotton. For this he was sentenced to "make a pair of stocks and set in them several Sabbath days after divine service, and then ask Mr. Cotton's forgiveness for using offensive words concerning him."

As in the case of the bilboes, there was scarcely an offense for which men—and women, too—were not stocked by order of the colonial magistrates. Those who would now be fined a few dollars, with the alternative of spending an equal number of days at the workhouse, were then put into the stocks, and it is an open question if, as a mode of punishment, it was not quite as beneficial. Its maintenance certainly cost less money.

Thus, to show the wide range of offenders for which the stocks were made to do service, we find James Luxford doing penance two market-days in succession for having taken two wives; another man taking his turn for abusive language to his wife and child; another for “uncivil carriages;” while Web Adey, in Connecticut, for “two breaches of the Saboth,” was not only “stocked,” but was also made to find himself a master, a sentence which indicates that, in addition to being a Sabbath-breaker, he must have been somewhat of a lazy lad. These are sample cases, and, besides, there were the countless number sent to the stocks for drunkenness, for idling, for profanity, for stealing, and for being Quakers—the latter charge alone being sufficient to keep many Massachusetts’ stocks warm. In fact, in Massachusetts no opportunity was lost to make the stocks stand as the avenger of offences against the Church. In many towns there was a law providing that “all persons who stand out of the meeting-house during time of service” should be “set in the stocks,” while Plymouth went so far as to say that “all persons being without the doores att the meeting house on the Lords daies in houres of exercise, demeaneing themselves by jesting, sleeping, and the like, if they shall psist in such practices hee shall sett them in the stocks”—the “hee,” in this case, being the tithing man.

The crimes for which women were “stocked” were usually offences of the tongue. In Plymouth, a woman was put in the stocks for reviling the magistrates; in Boston one was so punished for scandalously quarrelling with her husband, and, in Springfield, Goody Gregory was ordered to the stock for having profanely abused a neighbor by swearing a great oath, to wit: “Before God I could break thy head.”

The stocks used in the colonies were usually of about the same

pattern, being composed of two heavy bars of wood, the upper bar so arranged that it could be lifted and lowered, and, when down, it could be held in place by a padlock. Through these bars were cut two round holes, making a half-circle in each bar, and it was in these that the legs of the victims were placed when they were to be confined. In some cases, smaller holes were provided to confine the hands of the culprit, but this was a degree of discomfort that few towns deemed necessary. It was thought enough that the criminal should be held with his legs confined so tightly that he was practically unable to protect himself from those who took pleasure in making his hours of punishment more than necessarily miserable.

Governor Winthrop, in his account of affairs in New England, told the following amusing experience which occurred in 1644:

“There fell out a troublesome business in Boston. An English sailor happened to be drunk, and was carried to his lodging, and the constable (a godly man and much zealous against such disorders), hearing of it, found him out, being upon his bed asleep, so he awaked him, and led him to the stocks, no magistrate being at home.

“He being in the stocks, one of La Tour’s French gentlemen, visitors in Boston, lifted up the stocks and let him out. The constable, hearing of it, went to the Frenchman (being gone and quiet), and would needs carry him to the stocks. The Frenchman offered to yield himself to go to prison, but the constable, not understanding his language, pressed him to go to the stocks: the Frenchman resisted and drew his sword; with that company came in and disarmed him, and carried him by force to the stocks, but soon after the constable took him out, and carried him to prison, and, presently after, took him forth again, and delivered him to La Tour.

“Much tumult was there after this: many Frenchmen were in town, and other strangers who were not satisfied with this dealing of the constable yet were quiet. In the morning the magistrate examined the cause, and sent for La Tour, who was much grieved for his servant’s miscarriage, and also for the disgrace put upon him (for in France it is a most ignominious thing to be laid in the stocks), but yet he complained not of any injury, but

left him wholly with the magistrates to do with him what they pleased.

“The constable was the occasion of all this transgressing the bounds of his office, and that in six things. 1. In fetching a man out of his lodging that was asleep upon his bed, and without any warrant from authority. 2. In not putting a hook upon the stocks, not setting some to guard them. 3. In laying hands upon the Frenchman that had opened the stocks when he was gone and quiet. 4. In carrying him to prison without warrant. 6. In putting such a reproach upon a stranger and a gentleman when there was no need, for he knew he would be forthcoming and the magistrate would be at home that evening; but such are the fruits of ignorant and misguided zeal.

“But the magistrates thought not convenient to lay these things to the constable’s charge before the assembly, but rather to admonish him for it in private, lest they should have discouraged and disheartened an honest officer.”

HERALDIC CONSIDERATIONS

BY THE VISCOUNT DE FRONSAC

SYMBOLIZATION AMONG THE ROMANS

(Founding of the Germanic Empire)

AS the Crown was the distinction of Royalty, it was adopted by the ancient Roman Kings in the form of a plain circle about the head. Before this, Alexander the Great was the first European prince to wear a crown whose use he had learned from the Oriental princes whom he had conquered.

The crowns of Oriental sovereignty were of different shapes and richly adorned with gems.

Thus before Rome came to the height of universal dominion, there were some of the badges of universal dominion ready for her coronation. Before the time of the Emperors, after the kingly dignity had been abolished at Rome, the crown was still retained for reward for those who stood alone at the head of special enterprise. There was the *Coruna Muralis*, decorated with minature towers, given to him who was first to scale the walls of a hostile city.

Then came the *Coruna Vallaris* with little pales along the rim, a pale being the representation of the painted stake or staff driven in the ground in front of the tent of the commander. This crown was given to him who was first to force an entrance into the enemies' entrenchment.

Next was the *Coruna Navalis*, decorated with the eagles' beaks of ships. This crown was the trophy of him who secured a naval victory.

Last was the *Coruna Obsidionalis*, ornamental with leaves in gold of the strawberry, or other plant of the field, allotted to him who saved an army from blockade.

After a time, when conquest had carried the Roman arms under Scipio, Pompey and Caesar into every corner of the Globe where communication had made it known, the doctrine of Imperial Majesty in its divine and political signification, caused its emblems to be held in equally sacred esteem.

No one was allowed to wear the Imperial Green and Purple but Princes of the Empire, or to imprint his image on coin or gold, although lesser princes might put their images on silver.

Then the Roman Imperial Crown was raised into cap-form with open sides from front to rear, like the jaws of the crocodile—the sacred animal of Egypt. The crown meant divine right and universal rulership, sovereign unity and perpetuation.

The Roman Empire had advanced to universal dominion through the skill, honor and bravery of her military class, whose membership belonged to the purer Aryan aristocracy that had conquered Italy and founded Rome itself. Under this leadership, it was a rare thing for a consular army to suffer defeat. But so many conquests lessened the number of this military aristocracy and increased the number of slaves and mongrels, whose accumulated weight broke the sceptre of Rome beneath their hugh and clumsy feet. The result was that as the Northern, German and Gothic nations came into contact with the weakened Roman frontier, the honor and reliability of their chieftains caused them to be sought after by the harrassed Roman Emperors as allies on whom they conferred the symbols of Imperial authority for the guardianship of the frontier. It must be understood that there was a military, a noble class among these Gothic, Germanic Aryans absolutely pure of blood and principle, while the similar class that had existed in the Roman dominion was disintergrating into one indefinite mass, where all functions were performed by an indiscriminate succession of freedmen, plebians, patricians, equestrians, aliens, Africans, Jews. Character in Rome was as dishonest as the indefiniteness of these classes might suggest, and the only hope of the Roman World, of the Emperors, to maintain supremacy was in the honor and bravery of the military chiefs of the Franks, Goths and Germans in whose loyalty alone could trust

be placed. It was on account of their purity of blood (they being according to anthropology of the Dolichocephal Aryan Race) that these warriors were so superior in faith, stamina, intellect and physical beauty to the degenerate Romans. These Romans were mongrelized with Africans and with all the other hybrid and base products of their false policy.

When the appreciative intellect of the Aryan Franks and Goths came into intimate relation with the relics of the former Aryan civilization of Rome, now crumbling away, it was their desire to restrain the decaying influences, restore its former splendor and add magnificence of their own ideal to its further uplifting. They were awed by the majesty of its history, they wondered at the veneration shown the imperial name: they were amazed at the intricate yet orderly organization of the body politic. In this they saw the laws obeyed without the pressure of visible power. They were brought to admire the discipline and subordination of the soldiery. They gazed with wonder at the works of art, at the embroidery of the vestments of the priesthood, at the beautiful palaces of the wealthy, at the aqueducts and public highways that everywhere attested the industry, talent and dominating energy of the earlier Aryan patrician founders of Rome. Their idealism brought them to believe in the same invisible majesty and the sublime doctrine, that the Emperor held divine commission, to whom God as to the greatest earthly magistrate had delegated power to be used for the good of His people, which power it was a crime to resist.

During the previous reigns of Nerva, Trajan, Adrian and the Antonines, the luster of the Roman name had been reburnished from its dimness. Again had the prestige of Roman majesty been carried to its former glory. The Christian Emperors, in their turn profited by every attribute that Imperial authority had received from classic, Aryan antiquity to strengthen their position at the head, not only of the state but of the church—so as to overawe the Germanic chieftains who were commissioned on the outskirts of the Empire.

These chieftains knew that officers who had received the symbols of command from the Emperors were obeyed instantly, even at the uplifting of the finger. They led their follow-

ers to believe that that authority, thus conveyed, was an intangible substance that flowed in a strong, though invisible current from the Imperial source to the person of the commander.

The sign, or symbol, of that authority, the means by which that authority was conveyed, was a badge of rank—the only ornament seen on the armor of the commander. These chieftains, therefore, regarded these badges with veneration themselves, and sought eagerly to be invested with them by the Emperor over some territory of the Empire, wherein they might lead their followers as a guard.

The Emperors just as eagerly made use of this ambition by conferring on the Princes among these chiefs, the desired rank in the Empire. It was no mean reënforcement to the native authority of these Princes, for, when their followers, who had chosen them, beheld their chiefs invested with the mystic symbol of Roman rank, they feared the more to disobey.

On the death of one of these Princes, thus commissioned, the first one of his family who could seize the emblem of authority, hastened with the greatest swiftness to the Imperial Court to be invested with it himself, claiming to succeed his father by the law of the Franks. Thus these emblems became hereditary to the race and to the family. In this manner the Franks by a combination of their law of *caste* with this function and badge of authority in the Empire, created Heraldry.

The union of all these princes holding hereditary emblems of authority with the function thereof and the territory over which that function was exercised, consolidated the Aryan Antrustians of the Empire.

At first the Roman Emperors granted unsettled land for these territorial holdings, which the princes settled with their followers. After awhile entire districts were occupied by them through their own armed might, and the Emperors were obliged to concede them the rank and function of Dukes of the districts which they had forcibly occupied.

As each of these princes or dukes was chief of his own clan, whose members swore fealty to him alone, it must be understood that, after these chiefs were seated as dukes of districts, these districts became the hereditary possessions of their fami-

lies, and the law, or custom, (*La Coutume*) of the clan became the laws of these districts superceding the civil law of the Romans in those districts.

Thus came about the "Customs of Lombardy," the "Salic Law of the Franks," the "Customs of Normandy." The chiefs of these districts became, in fact, independent princes. It was in this way that the Empire was dismembered:—The pure races would not allow their districts, their own princes, their own customs to be subservient to the rulership of a degenerate, mongrelized Empire, the legislature of whose democracy recognized no difference between men of different races.

The badges of rank, at first official but with the Frankish idea afterwards hereditary as family armorials, were variously colored; the figures of beasts, birds and reptiles were added to them and the whole design was painted on the breast-plate, giving evidence of, I, importance of family II, degree of descent, III kinship of race.

From these things it appears that Heraldry is that science of Symbolization by means of which I Nationality, II Rank and, III the Family, or Origin of the possessor may be known.

Heraldry, therefore, is found to exist in all those nations whose civilizations is of the Aryan, Germanic Race, who commanded at the downfall of the Roman Empire and saved the relics thereof to be the background of their own conception of chivalry and honor.

From the time of the Frankish Charlemagne, qualities of race were symbolized co-extensively with rank. It was the duty of families to exemplify in their lives those qualities which their arms represented. Thus the physical substructure of a class of honor was laid.

So soon as badges of military rank were made the hereditary ensigns of families, it became necessary to record and marshall them so that family belongings might not be appropriated by others.

The pride of these noble families at being at the head of the Gothic or Franc Empire, caused them to regard these evidences of their rank with the utmost consideration and to display them on all occasions. Their honor was in the fulfillment of the

primitive faith, or trust, which the bearing of their ensigns implied. Whoever failed in this respect, simply proved the nobility of his race to be lost, or of a worthless character like a dead leaf, or limb.

Charlemagne made an effort to organize the most honorable of his chieftains into an Order of the Empire called the Paladins. Special obligation was imposed on each member to keep alive the ethical principle within him.

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As soldiers of that period dressed in full armor and covered their faces with metal visors, it was necessary to have some visible sign of recognition.

Now the King wore a brazen, or golden, helmet with barred front. The noble, a steel, or silver helmet with barred front. A knight, or cavalier, a steel helmet with plain visor.

In addition, it was the custom for the chief of a family to wear on the top, or crest, of his helmet some mark to distinguish him from his relatives who wore the same general armory. Sometimes he took a plant, sometimes the representation of an animal.

Very frequently a special battle-cry would be added, and if the chief adopted it, it would be written over his crest, but if of the family, under the shield.

The helmet is rarely emblazoned with an armorial because it is common to all arms of the same category.

At first the crest was used only by the chief, but with the failure of the need for special distinction, such as at the ancient tourney, all descendants of the male-line of the family-name use both shield and crest with their heraldic pretention. Custom has decreed that the crest is part of the arms.

The possessors of titles have sought further augmentation to their arms by placing coronets over their shields and supporters—animals, birds, reptiles and humans—at the sides of their shields.

In the South of Europe, crests and supporters are rarely used. Titled families there bear coronets as sole marks of distinction.

In Great Britain, the Baronets of Nova Scotia are authorized

to use supporters, and most of the free-barons of Scotland arrogated them to show their equality with the highest nobility in the land. Each nation, however, into which the Gothic Empire became finally separated, introduced certain characteristics into its arms and employed certain different manners of blazonry, so that each of their heraldries are found to contain national peculiarities.

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Shields;—The shield is usually about three times long by two times broad. In frescos, architectural designs and book-plaes, the shield has been made to assume a more complex form, but these barbarisms are not sanctioned by Heraldry.

Colors;—The three universal colors of gold, blue and green, with their accompaniments of silver red and black are represented as follows: gold (d'or) with dots at regular intervals over the surface of shield, silver (argent) plain surface, blue (azure) shade lines running right and left, green (vert) diagonal lines from dexter to sinister, red (gules) shade lines up and down, black (sable) shade lines right and left over those up and down. There are other colors denoting in English Heraldry, crimson (sanguine), Orange (tanné) and Purple (pourpre) but in French Heraldry these colors are allowed to be shades, or developments, of the six colors given above.

Ordinaries;—The ordinaries, which were added to the shield were originally badges of military rank. They are the pale (representing the staff of the general), the chevron, worn on the breast-plate, or helmet of the chieftain, the saltire (cross-belt), the bend (sword-belt), the fesse (body-belt), the counter-bend (sash), the cross, and the chief. English heralds add to these several other figures among them being the orle.

It is a rule in blazoning, or painting, arms, not to paint a color on a color, or a metal on a metal; (the metals are called tinctures). When such is done, it prompts the question; "for what purpose?" Thus the arms: "argent, a cross potencée, cantoned by four crosses-croset d'or," being metal on metal, causes one to ask "why?" And the explanation is that it is the arms of the Holy City, Jerusalem; of the Kingdom of Jerusalem.

To these colors and metals have been added the representation of furs worn by magistrates and by princes in their civil capacity, and afterwards transferred to the shields of their families. These furs are I ermine (displayed by black points on white ground), II counter-ermine (white points on black ground), III vair (skins spread out in regular order white and blue, IV counter-vair (colors reversed).

In English Heraldry, when the ermine and counter-ermine change color, and the vair and counter-vair, the combination receives another name viz;—ermine-ermine; vair—counter-vair. But in French Heraldry, if the ermine is of a different color from black and white, as in the arms of de la Haut of Lorraine (d' or, 8 points of ermine sable, posed in orle) the change of color is mentioned. The same in vair, as in the arms of Beaufremont, (vair d' or and gules).

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There were added to the shield during the Crusades, not only the escallop of the Pilgrim but various forms of the cross. It was during the Crusades that the cross received so many variations that it furnishes the most complex object in all blasonry. The cross will be illustrated in another chapter, but the escallop was made from a design suggested by a peculiar shell found on the Egyptian shore of the Mediterranean.

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Among the Romans in addition to those symbols of divine authority, of the diadem and the signet-ring, and the colors of purple, green and gold, there were emblems of official rank in the State in subordination to the regal. These were the belt of the consul, the sash of the preator, the cross-belt of the local civil and military commander of a district, the chevron of the chief officer of the district-staff. Constantine added the cross for his Legion of the Order of St. George of the Empire, after he had ascended the Imperial Throne. The same spirit of worship, or veneration, that has survived in the example of the cross, was shown in those days to all emblems of authority. The presentation of the consular belt carried with it all the authority of a commission.

But none of these symbols referred to race-distinction; they

were solely official, and represented authority from the absolute of the King, or Emperor, to the limited of the consul and preator. These emblems were not hereditary and had no existence outside of authority of office;—that is, a dethroned king no longer bore the emblem of royalty; the son of a consul did not bear the belt of consular distinction. The office itself was not a race distinction with the later mongrelized Romans, but was borne equally by the nigretto compounds of the Mediterranean country, and in the further East, by the Mongols who had surged West from Asia, and who were a composite of the red race of America (advented to Asia across North Africa, along the ridge of islands of which the Azores and Antilles are survivals) and of the African.

Then the legions that held the power of the Roman World and the office of Empire in their tumultuary elections, were recruited among the Blacks of Numidia, among the Nigrettos of Celtiberia, among the Mongols of Lesser Asia, and their officers represented all these in racial confusion of type.

A Numidian legion was settled in Gaul, and in the course of a few generations, the former fair complexion of the inhabitants had disappeared in a darker shade, while the inhabitants of that district had become mongrel and unreliable. In this way the entire Roman World became deformed, typeless, anarchic in thought, manner of living and government during which servile factions contended for the badges of authority and plotted with their facile weapons of treachery and bribery for the sceptre of Empire.

It was at this time, in the beginning of the II Century of the Christian Era, that the abstractions of "Christian Socialism" began to undermine the State; to dispute the teaching of Aryan philosophy and the theory of types and evolution. It separated mind from matter and arrayed them in hostile camps [although enlightened research had proven that they had never existed apart]; it evoked democracy in giving to the "least of the faithful" as great a privilege as to the most important; it confounded the distinctions of all races in a mongrel and universal brotherhood. At the same time its priesthood, with a synical shrewdness for which it has ever been noted proceeded to

take advantage of the credulity, ignorance and prejudice of its votaries in the following manner;—It assumed to itself the holiness of the Universal Mind and left to all other minds the material affairs of “the World, the Flesh and the Devil.” But with the Universal Mind, it claimed a oneness, a superiority and a ruling right over matter—over “the World and thy who dwell therein.” It reëffirmed this superiority in declaring the members of its congregation co-equal. In the co-equality of individuals and races, it blended the kings with the peasants; the Aryans with the Nigrettos, allowing them to await a new glorification by being sanctified at the hands of the priesthood, and by the universal acknowledgment of this sanctification was the enthronement of the Head of the Christian Church to the chief authority and power over the World—the disposer of fortunes and kingdoms—the annointer of kings and institutions—the justifier of causes.

Constantine, a general from Rome in Britain, was one of several disputants in arms for the Imperial investiture. In order to receive additional support, after having been reduced to precarious condition by his adversaries, he pretended to a vision in which he declared that he saw the sign of the cross in Heaven, with these words about it in gold letters: “By this sign thou shalt conquer.” Immediately, he put the cross on his standard; the votaries of Christian Socialism (who were the lowest and most ignorant of the mongrel population) at once flocked to his army, and by sheer weight of numbers he really did gain the Imperial Crown. These Christians, after having been ridiculed by the fashionable, scorned by the philosophical, punished as renegades by past governments, now found themselves, in the person of Constantine and their bishop, at the fountain-source of power at Rome. No one was allowed to hold office in Rome but a follower of the cross. But a follower of the cross must of necessity acknowledge the bishop, or pope, before the Emperor. This acknowledgment Constantine was wise enough never to have permitted. To a doctrine that denied the teaching of God in Nature in the diverse and separate races; in the union of spirit with matter; in the natural reward of merit, for miricles and disintegration, seemed but the won-

der-working of necromancy, to impose only on the limited intelligence of the rabble.

But the Bishop had the rabble with him, and the superstition which he imposed was guarded by the "spiritual keys of Heaven and Hell"—obedience to his will unlocking one to the faithful, disobedience unlocking the other to the damned—especially to "unbelievers and scoffers."

To free himself as much as possible from this constant and insidious undermining of his authority, Constantine decided to build a new capital at the further extremity of the Mediterranean. Thus arose Constantinople. Unable to free himself from the shackles of the new faith, whose followers with hungry ferocity surged into offices which he could not deny them, (in the light of his early political espousal of their cause) he sought to weaken their power by creating schisms in their ranks and mutual rivalry. In this design, he permitted the Bishop of Rome to have certain civil authority in looking after orphans, widows and sick prisoners. But the Bishop's loftier pretention of wearing three crowns in one—the tiara—to show that he was one better than king and emperor, he combatted skillfully by making the Bishop of Constantinople of equal rank with the Bishop of Rome, with himself at the apex as their creator and arbiter.

But left alone to work his will through the superstition of the masses, the Bishop, or Pope, of Rome gradually usurped the reins of civil government in municipal affairs, and by a forged document, appeared to have the consent of rivals. He had disputed successfully with the Roman Senate, but always yielded to the Imperial Representative who came occasionally from Constantinople.

It was now, at this time, that the Franks (IV Century) and Gothes were beginning to come down from Germany and to spread the mantle of their conquests over Western Europe. The emissaries of the Pope sought to convert these all-conquering Aryans to the Christian belief and to use their military skill to crush the Empire at Constantinople—which would leave the Pope not only chief of spiritual kings but successor of the Emperor in the material world—a two-fold despot with the sword

of secular power and the keys of Heaven and Hell. But these pure blooded warriors from old Germany were too great to be subservient entirely to priestly cunning and superstition, and all the doctrines of "Christian Socialism," which are directly contradicted by Nature in her instincts and in the evolution of the World itself. The Aryan Germans were destined to oppose a diplomacy and a force in later times, accumulating under pressure, that was to hurl the gloomy and hypocritical tyranny of this new belief from its pedestal of power, founded on misrepresentation and craft, into the indistinct shadows from which it arose.

At this time it was solely for the sake of political power that the Popes flattered the rising Frankish confederacy in the North. It was to get its support in the struggle which they saw must happen between the papacy and the Empire, whose seat was at Constantinople. For although the Emperors, from the days of Constantine, had granted the Christians privileges in the state and had commissioned their bishops, yet, so soon as the Christian Sect became strong, like the fabled viper, it turned to sting the hand that had fed it.

In the year 800, the country about Constantinople was beginning to be menaced by the armed and organized followers of another religion, that with Oriental sublimity, claimed the right of universality in accordance with the nature of God. Under the leadership of the sons of the Prophet Mahomet, they went forth to conquer in their Globe-encircling desire. While the Byzantine portion of Christendom, at Constantinople, was fighting these Moslems, the Roman section was under the influence of the Popes and kept aloof. Only when the Roman section itself was menaced, did the Popes appeal to the Franks who were under their King, Charles Martel. They stood to the shock against the Moslems "like walls of stone and beat down the light-armed Arabs with immense slaughter," and drove them back from their attempt to invade Europe.

A little later when Charlemagne was King of the Franks, whose strong confederacy had conquered Central Europe and had established the Feudal system, was in Rome, Pope Leo III, in

order to win him, placed the crown of the Roman Empire on his brow while Charlemagne kneeled in prayer in church.

At this time, the throne at Constantinople was occupied by a woman—Irene. No one had ever before beheld a she-emperor. It was an anomaly, and so an interregnum was conceived to exist. But the court of Constantinople refused to recognize the right of the Pope, or the Senate of Rome, to choose a successor. The Bishop, or Pope, was but an inferior officer under the Emperor and his choice was outside the line of succession. But Charlemagne, who had conquered the Lombards of Italy, the Goths and Sarrasins of Spain, the Saxons of the Low Countries and the Danes of the North was really THE power in the World—thorough-bred, independent and self-reliant. He himself did not recognize the pretention of the Pope as valid, but claimed rightly, that the office of Emperor is supreme. He appealed therefore before the court of Constantinople to recognize the imperial dignity which he had assumed and which it had been his intention to assume long before his so-called “coronation” by Pope Leo III on Xmas day 800. In his appeal, he offered his hand in marriage to Irene, although he was strenuously opposed by the papal delegates who were equally desirous of destroying the power of the Empire in civil conflict for ecclesiastical profit. But, although a marriage did not take place, a convention was had between the courts of Irene and Charlemagne wherein the unity of the Empire was affirmed, and Irene and Charlemagne mutually recognized each other to rule conjointly. From this time onward, the eagle-emblem of the Empire was given two heads to show that the Empire remained one and indivisible although under two heads. From this time also, Charlemagne kept the Pope in his proper place—inferior in civil matters, like “any other citizen of the Empire”—although chief-minister in ecclesiastical concerns in the West of Europe; the Pope, or Patriarch, of Constantinople occupying a similar position in the East. All nations recognized the universal power of Charlemagne. He was chief of the Austrasian nobility and descended from the great and fabulous war-king, Forsith of Central Europe who was afterwards defied as one of the war-gods of the Franco-Gothic nation of

Germany. He was king of the Franes and of the Lombards and Emporer. His domain extended from the Mediterranean to the unknown regions of the North and Eastward to the borders of Byzantium.

Charlemagne was succeeded by his son Louis, who by the advice of his father, crowned himself to show that no ecclesiastical, or other pretention, stood between him and the Imperial dignity—a practice which is maintained to-day among the German Emperors, the political successors of Charlemagne. The territory of the Empire of Charlemagne was divided among his sons, whence arose the states of France, Bavaria, Spain, Italy, Austria and other principalities. Although the unity of the Empire perished when these states severed their connection with the Imperial unity, the name, office and dignity were potent in Europe for centuries after, and were revived by the Empire of 1871. It had been the custom of the Emperors before the time of Charlemagne to have but one crown (the Imperial Roman). But Charlemagne was crowned with the German crown at Aix-La-Chapelle, with the Lombard crown at Milan, with the Burgundian crown at Arles and with the Imperial crown at Rome, so it might be said, even in symbol, if the Pope claimed IN IMAGINATION, a tiara (or triple crown), the Emperor had IN REALITY a quadruple crown.

Charles, Count of Hapsburgh, Grand-Duke of Austria and Emperor of Germany and Rome in the XVI Century, was crowned with the German crown at Aix-La-Chapelle, with the crowns of Lombardy and Burgundy at Bologna and with the Imperial Crown at Rome. It was he who introduced the Frankish, feudal, Seignorial Order and tenure into America in 1540 and incorporated America as a fief of the Empire.

From the time of Charlemagne forward, all the Emperors were of the Franco-German, or Gothic race, which created a new civilization, the feudal system, the Seignorial Order and Chivalry and the science of Heraldry as the means of representing the units of itself by hereditary symbols in History, Anthropology and Art. At first, the Germanic Emperors went to Rome for their Imperial Coronation, because that had been the capital city, and tradition, history and veneration looked on it as the

proper place for the imposition of Imperial emblems. There was one exception, however, and that was Constantinople, until that capital fell into the hands of the Turks through papal contrivance to destroy the Empire. The daughter of George Paleologus, last Prince of Byzantium, married Ivan, Grand-Duke of Muscovy, whose son assumed the double-headed eagle and took the title of Czar, or Caesar, of Russia, claiming right to succession at Constantinople for himself and his heirs forever.

(To be Continued.)

FIFTY YEARS A MEMBER OF AN HISTORICAL SOCIETY

ADDRESS DELIVERED BY SAMUEL ABBOTT GREEN

THE following address was delivered before the Massachusetts Historical Society by Samuel Abbott Green, the Society's Senior Vice President and Librarian, on the fiftieth anniversary of his membership, January 13, 1910:

It is true that fifty years have come and gone since I was chosen a member of the Society. As I look back over this half-century, it does not seem to be a very long period of time; but to look forward even ten years seems a great way ahead. Gazing into the future our sight soon dims, and we see only so far as our reason tells us what is likely to happen; but in retrospective vision we see what actually has taken place, and there is no perspective adjustment to be made. A man's hindsight is clearer than his foresight, and it is easier to slide down hill than to climb up.

In the ordinary course of events this golden anniversary would have occurred last month and last year, as I was nominated for membership at the meeting in November, 1859. Of course I was not supposed to know anything about the nomination, but as a matter of fact I did know that it had been made. One day in November as I was going into the Athenæum, I met in the large hall a prominent member of the Historical Society just as he was coming out of the building, and he greeted me cordially. We stopped for a moment or two to exchange the time of day, as the saying is, when he told me confidentially that I had been nominated for membership, at the same time adding that I must not mention the fact to a living body. I knew perfectly well when the next meeting would be held, and I awaited the result with fear and anxiety. The second Thursday in December

passed, and several more days, and no official notification came from the Corresponding Secretary; and I felt sure that I had been rejected, perhaps on account of my youth, as I should have been the youngest member in the Society. A few more days passed, when one evening I was calling at the house of a kinsman, a member of the Society; and with some hesitation I mentioned the subject to him and told him my inference that I had been blackballed at the December meeting. He at once relieved my disturbed mind by saying that on account of a severe snow-storm on that day and the small attendance of members there had been no balloting. He said that there were not persons enough present to secure an election, and furthermore in all probability that it would be brought about at the January meeting, which turned out to be true.

At the time of my election the Library occupied the two upper stories of the three-story building at No. 30 Tremont street, which was owned by the Society, having been bought early in 1856 of the Provident Institution for Savings. A fifteen-year lease of the lower story was then taken by the Suffolk Savings Bank, which ran till March, 1871; and in the year 1872 the Society erected on the same site a new building which is still familiar to many of the members. This structure was in process of erection at the time of the Great Fire in November, 1872. A large wooden staircase, with one broad stair half-way up where there was a turn, started at the left of the entry and led to the Library; and the entrance to the Savings Bank was under the stairs at the right of the entry. At the broad stair half-way up was a blind closet without light, gas-jet or ventilation even, which was not objectionable to the eye, but at times in warm weather was decidedly so to the sensitive nerves of the nose.

On entering the Library at the head of the stairs there were two large rooms not much unlike those in the later building; the first was generally spoken of as the Library, and the other as the Dowse Room, planned substantially as we know it today, though now it is somewhat enlarged. At that period the cabinet was kept in a show-case which rested on a long table in the front room or library; and the articles on exhibition were comparatively few in number. Among the choicest specimens were

Washington's epaulettes; the suit of clothes worn by Franklin in the year of his signing the famous Treaty of Alliance between France and the United States in February, 1778; Prescott's noctograph; tea picked up at Dorchester Neck on December 17, 1773, the morning after the Boston Tea Party; Paul Revere's pistol; Philip's samp dish; and various other articles too numerous to mention.

My election into the Society took place at a meeting held on January 12, 1860, and yesterday was the anniversary of the day. I find it difficult now to realize the fact that a full half-century has passed since that date. My first attendance was at a special meeting held at the house of Dr. Jacob Bigelow, on January 25, to take suitable action on the death of Lord Macaulay, an Honorary Member of the Society. On that occasion Governor Emory Washburn, chairman of the Standing Committee, offered a set of resolutions, which were duly seconded by Mr. Everett, who spoke of the distinguished scholar and statesman, and also gave an account of his personal relations with the great historian.

My first attendance at a stated meeting was on February 9, when, as I remember well, Mr. Savage came up and congratulated me on my membership and took the pains to introduce me to a few of his friends, saying that I was the baby of the Society, a term which he sometimes used at a later period. I knew Mr. Savage's only son very well, who was in college with me, but not in my class; and this acquaintanceship, perhaps, caused him to take more interest in me than he otherwise would have taken. Furthermore, in the country we were neighbors, as Mr. Savage's summer residence was at Lunenburg, and my father's home at Groton, ten miles away, just far enough to serve as an apology for butting in unexpectedly at dinner, where I was always a welcome guest. Mr. Savage had the art of using imprecatory language in a way that did not shock his hearers. In speaking of Cotton Mather at one of the meetings I have heard him pass a judgment on the Boston minister that excited more merriment than criticism.

At this stated meeting in February, the first I ever attended, I remember distinctly the presence of the venerable Josiah

Quincy, who then was one of the most distinguished personages in the Commonwealth. He had been a member of Congress for several terms and the President of Harvard College for many years, and in earlier life the Great Mayor of Boston. He was widely known throughout the country as a public man and a scholar; and in his lineage he was directly connected with noted Revolutionary ancestry. My thoughts went back to the time when he gave his last reception at the President's house in Cambridge on Commencement Day in 1845. As a boy it fell to my lot, together with Theodore Chase, an elder brother of our late associate George B. Chase, to be present on that occasion. I remember well how we two lads joined in the procession and passed out of the room; and then boy-like, bent on doing something absurd, we turned round and joined the procession again at the other end and for the second time shook hands with Mr. Quincy, who had some kind words for us. This puerile act we performed for the third time without detection, and we both then thought that it was very funny. When I was seated in the same room with Mr. Quincy, the recollection of that juvenile prank and the absurdity of the whole affair came back to me as if it were but of the day before instead of happening fifteen years earlier.

At this February meeting Mr. Quincy gave to the Library a manuscript relating to the French West Indies, which had been sent to him many years before, when he was in Congress. Two months later he also gave "A Plan of the Town and Chart of the Harbour of Boston exhibiting a View of the Islands Castle Forts and Entrances into the said Harbour." This map appeared originally in "The Gentleman's Magazine" (London) for January, 1775, though in the lower margin it is dated "February, 1775," at the very time when General Gage was making his plans to meet any disturbances that might arise. At that period Boston filled a very prominent place in English history as it was then the scene of so many political outbreaks. I remember distinctly that Mr. Quincy spoke of the misspelling of certain place-names on the map, such as Roxburgh for Roxbury, and Quinzey for Quincy. I can recollect also seeing him at one or two other meetings when he did not speak.

At this period Mr. Quincy was nearly a nonagenarian, and a man who had filled some of the most conspicuous positions in political and academic life. In the community at large he was respected for his personal worth and many accomplishments. He was a fine type of a gentleman of the old school, who would attract attention in any assembly. It is rare nowadays to see a man who by general consent fills a similar niche in public estimation. At the age of twenty-three he was chosen a member of the Society, on July 26, 1796, only five years after it was formed. He must have known the ten original members,—the founders as they are called,—and the twenty-five others who had been chosen before he was. In the order of election he was the thirty-sixth member of the Society; and at the time of his election not a death had taken place among the thirty-five already chosen. It seems sometimes as if the calm and placid life of antiquaries and historical students contributed to their health and longevity.

At the following Annual Meeting which was held in April, I was chosen Cabinet-Keeper, by which election I became a member of the Standing Committee, as it was then called. At that period all nominations came from this body, which in its various functions corresponded exactly to what is known now as the Council. It was owing to my position as Cabinet-Keeper in the autumn of 1860 that prompted Mr. Winthrop to ask me to be at the Society's rooms when the Prince of Wales and his suite visited them. I remember well that it was on October 19, the anniversary of the surrender of Cornwallis at Yorktown, though that fact was not mentioned by any one showing the treasures of the Cabinet. The royal party, accompanied by Mr. Winthrop and Mr. Everett, after visiting Harvard College and Bunker Hill Monument, came to the Historical rooms, where they were received by a few other members of the Society. The various curios and relics were shown to the distinguished visitors, and the whole affair passed off successfully. The Prince seemed to be interested in the manuscript History of New England by Governor John Winthrop, which he examined with care, knowing that the author was the ancestor of our President. He also expressed an interest in Washington's epaulettes which were given to the Society by one of the General's aids. At that time

the epaulettes were kept with other objects of interest in the large show-case, but soon afterward, at the suggestion of Mr. Winthrop, a handsome box was made specially for their keeping. Before the party left the rooms the Prince signed the Visitors' Register, and he called on his retinue to write their names also; which was accordingly done. The leaf bearing these signatures, headed by the present King of England, might well be framed, placed behind glass and hung in the cabinet, where it would form a permanent object of interest.

Another distinguished visitor came to the rooms, on December 3, 1868, when Mr. Winthrop did the honors of the occasion, which always came so gracefully from him. It was General U. S. Grant, President-elect of the United States, who, according to popular report, was then in Boston to consult with certain persons prominent in the Republican party concerning the new administration. It was a cold raw day, and the General writing his name with some difficulty rather apologized for the signature, and said that he ought to have made his mark instead. Whereupon Mr. Winthrop at once replied, "General, you have already made your mark, and it is not necessary to do it again." This little incident, well enough in its way, may seem trifling and unimportant; and I can give no reason why it made an impression on my brain, but as a psychological fact it stuck, and now I repeat it.

During my connection with the Society there have been 226 elections of Resident Members, and of this number now only 94 remain. The average number of elections annually is about five, but in the year 1861 there were ten members chosen, and in 1903 eight chosen; and in 1887 no death occurred in the membership. Under the original Act of Incorporation the number of Associate Members was limited to sixty, but under a supplementary act, passed April 2, 1857, the number was increased to one hundred. For three or four years after this act was passed, owing to the change, the number of annual elections was much larger than usual. According to a list of all the Resident Members, printed in 1908, the average age at the time of their death was seventy years, which confirms to an interesting degree the words of the Psalmist that "The days of our years are three-

score years and ten." According to this list, at the time of their death, John A. Andrew was under fifty years of age and Rufus Choate under sixty.

Calendar years may be looked upon as mile-stones placed along the way of life. They show how far we have travelled, but they throw no light on the end of the journey. As we trudge along and pass the stones so often, it seems as if the years grow shorter. Life to a boy is wholly prospective, and he looks ahead and has no past; to the man of middle age life is present and is of today, and he looks back and he looks forward with equal interest, and he has a broad vision. To the octogenarian, whose ranks I shall join in the course of a few weeks, life is a grand composite made up of many incidents as shown on the western horizon of memory. I am an optimist from the word GO, and I like to look on the bright side of things. The world as a whole is better now than it was fifty years ago, and an advance along the line will continue to be made. Happy is the man who lives in sympathy with the daily events that happen around him; and his views of life depend as much on the condition of his liver as on his reason. Happy is he who is thankful for his very existence, and who agrees with the poet that "Whatever is, is right," not necessarily morally right, but logically right. In this world of ours there is no effect without a cause, and everything that now is, or has ever been, is related to an antecedent. Thrice happy is he who believes in the eternal fitness of things.



THE PILGRIM'S MONUMENT
Recently Unveiled at Provincetown, Mass.

HISTORICAL VIEWS AND REVIEWS

Readers of Americana are invited to contribute to this column their views on any topic that comes within the scope of the magazine. Criticism and corrections are welcome.

THE NEW PILGRIMS MONUMENT

THE monument erected at Provincetown, Mass., to commemorate the first landing of the Pilgrim Fathers on American soil, and the signing of the first civil compact in the cabin of the *Mayflower* as she lay in Provincetown harbor, was dedicated by President Taft of August 5.

The monument, which is a huge shaft of granite, weighing approximately 11,000,000 pounds, rests upon a re-enforced concrete foundation on the crest of Provincetown's highest hill. The hill is ninety feet high, and the shaft rises 252 feet higher, so that it will serve in clear weather as a guide for vessels forty miles at sea. With the exception of the Washington Monument, it is the tallest monument of solid construction in this country.

The bronze memorial tablet, inserted in a sunken panel over the south door of the monument, was unveiled by little Miss Barbara Hoyt, who is 10th in descent from Elder Brewster. The inscription on the tablet, which was written by President Emeritus Charles E. Eliot of Harvard, reads as follows:

“On Nov. 21, 1620, the *Mayflower*, carrying 102 passengers, men, women and children, cast anchor in this harbor, 67 days from Plymouth, England.

“On the same day the 41 adult males in the company had solemnly covenanted and combined themselves together ‘into a civill body politick.’

“This body politic established and maintained on the bleak and barren edge of a vast wilderness a State without a king or

a noble, a church without a bishop or a priest, a democratic commonwealth, the members of which were 'straightly tied to all care of each others' good and of the whole by everyone.'

"With long suffering devotion and sober resolutions they illustrated for the first time in history the principles of civil and religious liberty and the practices of a genuine democracy.

"Therefore the remembrance of them shall be perpetual in the vast republic that has inherited their ideals."

THE LATIN-AMERICAN CENTENNIALS

This is centennial year for Latin-America. From Mexico to the southernmost countries of the continent there have been this summer, or will be in the autumn, celebrations marking the one hundred years that have passed since the beginning of the struggle of the new world races against the rule of European powers. In Argentina, the Pan-American Conference has been in session and its deliberations have disclosed the fact that the different Latin-American States are now working more earnestly than ever before for mutual advancement and prosperity.

Argentina dates the beginning of its revolutionary struggle from May 25, 1810, and, in addition to entertaining the Pan-American Conference, the republic has been celebrating the anniversary through a series of expositions representing the different arts and industries.

Although Mexico dates its beginning as a republic from September, 1810, it was the year before this that a conspiracy was formed at Valladolid which had for its object the assembling of a Congress in Mexico City to govern New Spain. An uprising was planned for December, 1809, but failed, and the conspiracy was temporarily suppressed. Less than a year later it was revived under the leadership of the patriot priest, Father Miguel Hidalgo, and although he was captured and executed by the Spaniards in 1811, and it was not until 1824 that a constitution was proclaimed, the long struggle for freedom owed its impetus, if not its permanent inspiration to the unselfish heroism of this brave clergyman, and his immediate successor, Father Morelos. The anniversary celebration, which is to be held in September, will continue through the month.

TWO HUNDRED YEARS OLD

Newbern, N. C., celebrated the two hundredth anniversary of its founding on July 25. Sailing up the Trent River, just as their forefather did in 1710, citizens costumed to represent John Lawson and his Swiss colonists, and Baron de Graffenreid and his Germans, in ships that were replicas of the eighteenth century riggers, landed in the town shortly after noon. Their arrival inaugurated an allegorical celebration which lasted for three days, during which time some of the most stirring of Colonial events were depicted in floats and tableaux. The program closed with a Colonial ball.

APTHORP LITIGATION ENDED

By the recording of about forty deeds during the month of July, the litigation over the Apthorp property which has been going on in the New York courts for more than a century was brought to a close.

The Apthorp farm comprised sites of some of the most famous houses of Revolutionary times. It was one of the largest individual holdings on the Island of Manhattan. Charles Ward Apthorp came to New York several years before the Revolution and purchased for \$15,000 in 1762 and 1763 an estate covering what is now about fifty square blocks, from Eighty-ninth to Ninety-ninth street and from Central Park to the river. The present value of the land alone is at least \$125,000,000. It was Apthorp's ambition to become one of the landed gentry of America.

Apthorp was a member of the Governor's Council from 1763 until the close of the Revolution, in 1873. He was a signer of the address to General Howe after the battle of Long Island, and later his homestead was the headquarters of Generals Howe, Clinton, Cornwallis, and Carlton. General Washington also occupied the house after the battle of Long Island, and waited there until the army had passed Harlem Heights.

After the Revolution Apthorp was indicted for high treason, but escaped the penalty. Of his ten children several held com-

missions in the British Army, but one daughter, Maria, married, in 1789, Hugh Williamson, a leader in the patriot cause and one of the delegates who framed the United States Constitution.

About 1790 Apthorp laid out two more roads, or lanes, from the Bloomingdale Road to the river, afterward known as Jauncey's and Mott's or Striker's Lane. In the early transfers the ownership of the lanes was not clearly specified. This made little difference while the property was farm land, but with the laying out of streets about \$4,000,000 worth of property was tied up.

The closing up of these conveyances has been in the hands of James A. Deering, who has represented the greater number of the Apthorp heirs for twenty-five years. Other lawyers prominent in this land struggle have been Evarts, Southmayd & Choate, Charles A. Peabody, David B. Ogden, and Charles S. Noyes.

Among the heirs who have terminated the dispute are William Waldorf Astor, William H. Bibby, estates of Schuyler Hamilton, and of Alice Hamilton, Paul Livingston Mottelay, William G. Hamilton, Thomas G. Taylor, Grace R. Johnson, William D. Holloway, James W. Holloway, Louis T. Evena, Martha J. Taylor, and St. Luke's Hospital. The purchasers of the lanes include James S. Lawson, William S. Champ, co-executor with Mayor Gaynor of the Ziegler estate, and William R. Peters.

COLONEL MOSBY RETIRED

It was announced early in July that Colonel John S. Mosby, the famous Confederate guerrilla, had been discharged from his post as special attorney of the Department of Justice, to which he was appointed by President Roosevelt, about eight years ago. No explanations have been made by the Department, but old age is supposed to have been the cause of the dismissal. He is 73, blind in one eye and somewhat deaf, but his friends say he is still active and energetic. It is understood that he will now devote his time to writing a book of reminiscences of the civil war, with particular reference to the prominent part he played in the drama.

Colonel Mosby's first assignment under the Department was

carried out in a way that won him commendation from President Roosevelt. He was told to break up the operations of cattlemen against Government lands in the middle West, and did it in spite of threats of personal injury. He did considerable other work of the same kind, but of late years, although always requesting to be put on active service, had little to do.

It was Grant who pardoned the outlaw and took him into the government service. Mosby was a Republican and one of the first of the Confederate commanders to accept the result of the war philosophically. In 1878 he was appointed consul at Hong-kong by President Hayes. In 1885 he was removed from the consulate by President Cleveland. At the request of Gen. Grant he was then appointed an attorney in the law department of the Southern Pacific Railroad Company. Six years ago he returned to government service as a special attorney in the Department of Justice.

In his memoirs General Grant speaks of Colonel Mosby most appreciatively:

“Since the close of the war I have come to know Colonel Mosby personally, and somewhat intimately. He is a different man entirely from what I had supposed. He is slender, not tall, wiry, and looks as if he could endure any amount of physical exercise. He is able, and thoroughly honest and truthful. There were probably but few men in the South who could have commanded successfully a separate detachment in the rear of an opposing army, and so near the border of hostilities, as long as he did without losing his entire command.”

Such, in brief, has been the civil career of the man whose name was used in war times by the mothers and nurses of the North to frighten unruly children into obedience, and who was dreaded by the the Union soldiers as a scourge.

THE CONFEDERATE PENSION SYSTEM

A recent number of the *South Atlantic Quarterly* contains much interesting information upon a subject concerning which little has been written—the Confederate pension system. To summarize the facts:

“With the recovering wealth and prosperity of the South, one

by one every Southern State has established its Confederate pension system.

“The amounts of the pensions are small as compared with those under the Federal system, but with the increase in resources there is a constant increase in the State appropriations for Confederate pensions.

“An investigation made a few years ago showed 99,049 Confederate pensioners in the Southern States. The total expenditure for the year 1906 was \$3,875,000, so that the average pension was less than \$40 a year. Fortunately recent reports are available from Georgia, the State with the most important Confederate pension system.

“In that State pensions have been paid since 1893 to the widows of Confederate soldiers whose husbands died in service or after the war from disability or disease contracted in service. In 1896 indigent Confederate soldiers were placed upon the rolls, and in 1902 the benefits were extended to indigent widows of Confederate soldiers, even though the soldier's death was in no way due to his military service. A constitutional amendment has recently been adopted which opens the way to increasing liberality, especially in the granting of pensions to Confederate soldiers' widows.

Including the year 1910, the pension payments since the beginning of the Georgia system have amounted to over \$14,000,000, a great sum for a single State of the South. The following table shows the growth of the Georgia pension system:

	Number of pensioners.	Amount paid.
1889	2,994	\$158,790
1895	7,308	426,340
1900	11,558	678,100
1905	15,065	893,069
1909	15,779	938,560

SEPTEMBER—OCTOBER, 1910

AMERICANA

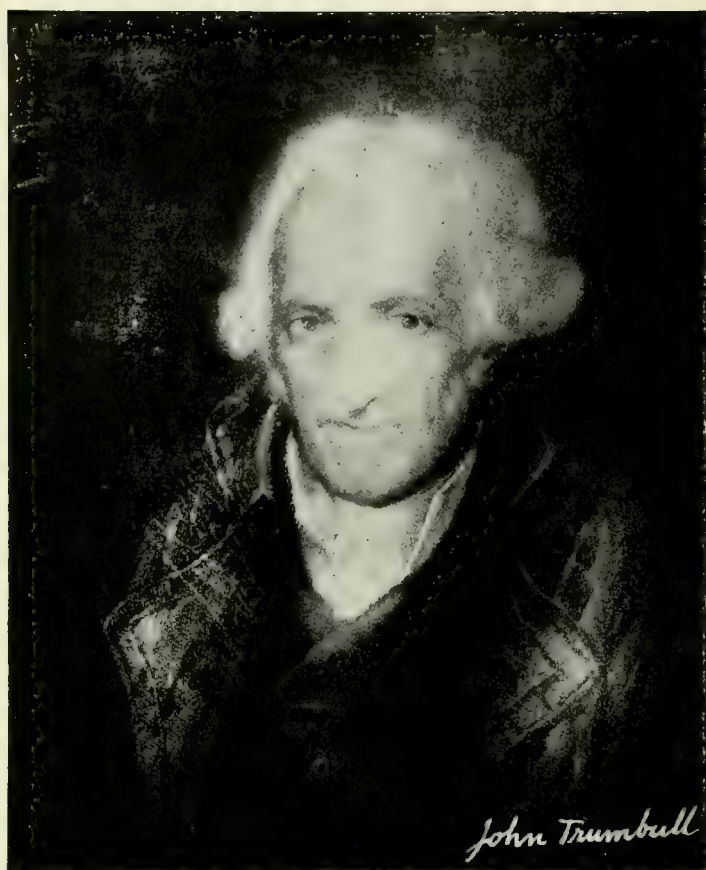
CONTENTS

	PAGE
The Indians of New Jersey. By Max Schrabisch . . .	877
George Heriot, Author-Artist. By J. A. C. Heriot . . .	888
Little Wars of the Republic. Part III. The Whiskey Rebellion. By John R. Meader	893
Thomas Paine's Last Days in New York. By William M. Van der Weyde	904
History of the Mormon Church. Chapters XXVIII and XXIX. By Brigham H. Roberts	911
The Scot in New England and the Maritime Provinces. Parts IV and V. By John Calder Gordon	948
The Rochambeau House. By Lyman Horace Weeks . . .	961
Heraldic Considerations. Families of Seigneurial Rank in College of Arms of Canada. By Viscount de Fronsac	964
Historical Views and Reviews	975

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THE LAST PORTRAIT OF THOMAS PAINE

From Painting by General John Trumbull

AMERICANA

September--October, 1910

THE INDIANS OF NEW JERSEY

BY MAX SCHRABISCH

Author of "Rock Shelters of Indians in New Jersey."

THE historical development of a nation is similar to that of the individuals composing it. The parallelism existing between the two may be clearly traced. Man's earthly career, from the cradle to the grave, is characterized by numberless phases of development, phases which correspond closely to those of the race. Analogous to man, every nation passes through the periods of infancy, adolescence, full maturity and senility or final decadence. Everything in nature constantly undergoes metamorphosis and the process of evolution, resulting in infinite diversification and tending forever to higher and more complex forms, brings about the gradual extinction of what does not, in this onward course, strictly adjust itself to the inexorable laws of the universe. In a world where nothing is constant but change, and where eternal change accompanies all the phenomena of life, the gradual disappearance of peoples may thus be regarded as something entirely natural. History affords us countless illustrations of races which in this grand onward march succumbed to others better adapted to the then existing order of things. Hence the decay of Greece's once splendid civilization and the utter destruction of her political supremacy by her Roman neighbors. Hence, also, later on, the downfall of the Roman empire and the coming to the fore of new political constellations arising on the ruins of the old.

Particularly pathetic is the fate of the North American Indians. Driven out of their hunting-grounds, their remnants, amounting to about one-quarter of a million souls, are now concentrated in a few Western reservations. Incapable of fitting themselves for the new conditions and little prepared to face the contingencies and perplexities of civilized life, so-called, many of them depend for their sustenance upon government assistance. True, their present number is practically as large as it ever was; still, this fact plainly spells degeneration. In other words, the fact that there has not taken place any increase in their numbers during the last three centuries, such as would no doubt have followed under normal conditions, i. e., had they been left undisturbed, cannot mean anything but retrogression. And, to be sure, if a healthy race like theirs remains at best stationary in population, there must have been factors at play inimical to its well-being and ultimately tending to its extermination. Such, indeed, is the case. Wherever the Caucasian race came in contact with more primitive peoples, the doom of the latter was sealed invariably. The children of nature, content with a simple and idyllic mode of living, lead a comparatively happy life as long as they are far removed from the noxious influences of modern civilization. But on acquaintance with the White man they fall an easy prey to his vices, lacking at the same time the faculty of assimilating his good traits. Passions and evil appetites, to which they were formerly strangers, such as gambling and the temptations of alcoholic beverages, take all too readily possession of their minds. Adding to this the radical change of conditions wrought among them, their total degeneration will be accomplished in an amazingly short time.

The redskins of the Atlantic seaboard were, for geographical reasons, among the first to enter into fateful contact with the Europeans. Like many other peoples, of whose misfortunes under similar conditions history gives us a graphic picture, they might have exclaimed: "*Timeo Danaos et dona ferentes.*" As a consequence, their primitive mode of living was disturbed long before the inland tribes had any practical knowledge of the Christian adventurers. The tribes inhabiting the state of New Jersey were the Delawares, a name given them by the Eng-

lish in memory of Lord Delaware. Their own appellation was Lenni Lenape, a term signifying original people, in so far as they considered themselves the most ancient of American aborigines. It would seem, in fact, that their neighbors viewed them as a sort of patriarchal people whose claims to remote descent and priority of occupation were well founded. The Lenni Lenape belonged to the Algonkin group, a federation consisting of more than forty smaller nations. They were divided into three sub-tribes, namely: the Minsi or Wolf tribe in the northern part of the state; the Unami or Tortoise tribe, south of them, and the Unalachtigo or Turkey tribe, living along the southern coast of the state as far down as Northern Virginia. Each of the three main tribes was sub-divided into twelve small gentes under the leadership of chiefs.

As regards the origin of the American aborigines and that of the Lenni Lenape in particular, science has not yet furnished any data which enables us to say whence, when or how the American continent was first peopled. Many chimerical and absurd explanations have been forthcoming to account for their origin, such as the conjecture once widely held that they were the descendants of the Lost Ten tribes of Israel. However, two theories only are worthy of serious attention. The aborigines were either autochthonous, that is to say, evolved right here on this continent, or they have immigrated, be it via Behring Straits or across the Atlantic ocean. The former hypothesis is perfectly compatible with the evolution theory and Dr. Brinton, one of the greatest authorities on this subject, says the following in its support: "Anyone at all intimately conversant with the progress of American archaeology in the last twenty years must see how rapidly has grown the conviction that American culture was home bred, to the manor born; that it was wholly indigenous and had borrowed nothing—nothing from either Europe, Asia or Africa. The peculiarities of native American culture are typical, and extend throughout the continent." If, by the light of these facts, we still cling to the immigration theory, it can be held only by assuming that the Indian invaded America at a period so remote as to preclude all possibility of his having descended from any race recorded in history. All other theories fall to the ground.

Whatever may have been their origin, recent investigations, especially those of Dr. Charles Conrad Abbott, a savant whose archaeological researches in the state of New Jersey are by far the most exhaustive, prove beyond peradventure that North America was inhabited by human beings prior to the advent of the last glacial period, viz., during the pliocene epoch. The researches carried on in the gravel deposits and ice-moraines near Trenton, have brought to light numerous prehistoric implements which undoubtedly date back to an enormously remote antiquity, extending the time of man's appearance on this continent at least a hundred thousand years beyond the limits ascribed to him by the Scriptures. These observations corroborate and supplement those made by archaeologists in the most widely separated parts of the globe. They all show man to have been the contemporary of many animals now extinct such as the mammoth and cave-bear. The objects unearthed in the Trenton gravel are fashioned mostly of argillite. On account of the rough and primitive workmanship they exhibit, these articles are designated as palaeolithic in contradistinction from modern and more artistically wrought stone implements which are known as neolithic, i. e., as belonging to the younger stone age. Touching upon the similarity that exists between savage races generally in respect to the character of their utensils, it may be explained by the parallelism in the development of mankind.

The evidence adduced by science admits of but one inference. It impresses us with the absolute necessity of discarding entirely the obsolete and puerile biblical chronology as utterly at variance with observed facts and of replacing it by the theory now thoroughly established and universally held by the best minds that man's origin reaches far back into the mist of time. We must, moreover, relegate into the realm of fable the idea of man's initial perfection and substitute for it the scientific conception, by virtue of which the presumable masterpiece of creation had an altogether crude and animal-like beginning. Furthermore, it is highly probable that the earliest inhabitants of New Jersey, of whose erstwhile existence in this state the finds above referred to afford unmistakable evidence, belonged to the race of the Esquimaux, and that after the melting of the

ice-sheet which covered North America as far south as the fortieth degree of latitude to a depth averaging two thousand feet, these hyperboreans receded to more northern climes.

On the strength of these considerations the modern Indian succeeded the Esquimau, appearing on the scene after the termination of the glacial period—a rather late arrival. Respecting the descent of the Lenni Lenape, they hailed, according to their traditions, from the interior of the earth. After spending untold aeons in its subterranean cavities, one of them accidentally discovered an opening overhead, through which they made their exit to the earth's surface above. Again, they relate that in the beginning the Great Spirit Ichabod or Manitou swam on the waters, and that later he made the earth of a grain of sand, and man and woman out of a tree. Similar myths obtain with all primitive peoples, showing how naive and simple minds, in obedience to an instinct implanted in every human breast, delight in peopling the unknown with the imagery of their untrained imagination and in accounting however grotesquely for the phenomena of the living universe—phenomena which in the absence of all accurate knowledge are far beyond their range of mental vision.

Passing from the realm of pure legends to that of more or less vague traditions, we find that the Lenape migrated to this state more than a thousand years ago. There is some ground for assuming that they dwelt originally at Labrador. Next they journeyed south and west to the St. Lawrence and Upper New York state, fighting often with the Snake people, and the Talega, agricultural nations, living in fortified towns, in Ohio and Indiana. They drove out the former, but the latter remained on the Upper Ohio and its branches. The Lenape, now settled on the streams of Indiana, wished to remove to the east to join the Mohegans and others of their kin who had moved there directly from Northern New York, until at length they reached the confines of the state of New Jersey.

The accounts given by the early visitors to these shores testify to the peaceable character of the Lenni Lenape. It is but rarely that they went on the war path to avenge an injury inflicted upon them. Unlike the bellicose Iroquois their aim was to en-

tain friendly relations with the white settlers, whose cupidity offered indeed often enough just cause for provocation. Leading an outdoor life and inured to nature in all her varying moods, health was with them the normal condition of life. No wonder, then, that physically, they approached most nearly the ideal of manhood. Well-built and strong, with broad shoulders and small waists, jet black hair tied up in a single scalp lock and perfect teeth, they were well equipped to face the hardships and dangers of the wilderness. "They preserved their skins smooth by anointing them with the oil of fishes, the fat of eagles and the grease of raccoons which they hold in the summer the best antidote to keep their skins from blistering by the scorching sun, and their best armour against the mosquitoes and stopper of the pores of their bodies against the winter's cold." Morally, too, they were in many respects the superior of the White man, being generous and hospitable, to a degree, perhaps little expected among a people whose religious ideas were of a crude and material order. Commenting upon their character, Pastorius remarks: "They cultivate among themselves a most scrupulous honesty, are unwavering in keeping promises, insult no one, are hospitable to strangers, and faithful even to death to their friends." Another writer says: "In former times they were quite truthful, although oaths were not customary among them. But it was not so in later times, *after they had more intercourse with Christians.*"

The number of Indians inhabiting New Jersey at the time of the first white settlements appears to have been quite considerable, probably not exceeding ten thousand souls. Scattered all over the state in little bands without permanent habitations, they roamed from place to place after the manner of nomads, depending chiefly upon fishing and hunting. They were, it is true, acquainted with the art of agriculture in its simplest forms in that they cultivated maize, beans and tobacco. However, they had not yet learned how to improve wild grow-fruit, and apples and pears they ate in their uncultivated state. Maple sugar formed a valuable part of their diet. In making it, a bark vessel was used for collecting and carrying the sap. The primeval forests abounded with trees bearing nuts, and they

did not fail to store up large quantities to gather which was the work of women. And, to be sure, the latter were veritable beasts of burden, for while the men provided the fish and game and fashioned various tools, the squaws cultivated the fields, wove baskets, manufactured pottery, made maple sugar and when moving dragged the tentpoles along, often carrying, at the same time, a papoose on their back.

The first Whites whose acquaintance they made, were the Dutch who, in 1609, had landed on the island of Manhattan. Near the mouth of the Delaware river they came in contact with the Swedes who had here built a fort called Möckeborg because of the numberless mosquitoes infesting this region. It would be contrary to facts to assert that the pioneers dealt fairly with the Indians. They claimed, it is true, to have secured from them, in an honest way, title to every inch of land within the boundaries of the present state of New Jersey and otherwise to have treated them humanely. Yet the purchase price was out of all proportion to the value of the land. In every case the poor Indians got the worst end of the bargain and they might congratulate themselves if in return for the hunting-grounds they received a few woolen blankets, muskets and gunpowder, or some firewater and other worthless trash.

Nor is this all. The prodigious iniquities, which they were made to suffer at the hands of the European adventurers, have left a stain on the early history of this country such as can never be wiped out. The atrocities committed against them by the Dutch throw a most hideous light upon the character of these early colonists. Thus, by order of Kieft, one of the Dutch governors of New Amsterdam, a number of perfectly harmless Indians were precipitated down the palisades. Since outrages of this kind were of ordinary occurrence, we need not be surprised if now and then the savages, tormented beyond endurance, resorted to retaliatory measures such as struck terror to the hearts of their oppressors.

When the Europeans first set foot upon the territory comprised within the state of New Jersey, they found a trackless wilderness, peopled by many wild animals. Along with bears, wolves and catamounts, this vast expanse of primeval forest

sheltered droves of deer, rabbits, opossums and many other creatures, all of which a welcome prey to the arrow of the Red-man. A superabundance of fish filled river and lake and the speckled beauties disported in the brook with joy and content. Pondering the contrast between now and then, many a passionate Nimrod might well exclaim: "*Sic transit gloria mundi.*" And while the endless forests harbored game of wonderful variety, the air above was navigated by countless bevvies of wild turkeys, partridges and quail.

The huts of the Lenni Lenape were temporary structures which could easily be moved as occasion demanded. In view of their nomadic habits the tent complied with all requirements. Bearing in the West the name of tepee, it was here called wigwam. These tents were set on poles and covered with mats, birch bark or skins. Sometimes young trees would be bent down toward a common centre and the branches interlaced and fastened together and covered with bark, so closely laid on as to be very warm and rain-proof. Though in general the redskins of New Jersey were of a roving disposition, sojourning in single families wherever the conditions seemed favorable, they would occasionally band together in more permanent habitations. Such settlements or villages were situated along the banks of the Passaic river, near the Wagaraw bridge, at Fairfield, Two Bridges, Mountain View, Tom's Point, Pequannock, Pompton Plains and Lower Preakness. But, as a rule, the gregarious instinct was not potent enough to cause them to combine in larger communities. Instead, they would roam the woods in small groups, pitching their tents on the bank of some water course. In the Jersey Highlands they were wont to camp under overhanging rocks. Of these, designated as Rock-shelters, I have discovered nine in the counties of Passaic and Morris, and the relics dug up here by me bear witness to the archaeological significance of those ancient dwellings. A full description of them, as well as of eight aboriginal rock-houses, situated in the counties of Rockland and Orange, New York state, is contained in my monograph which is being published in connection with the Hudson-Fulton Celebration, under the auspices of the American Museum of Natural History.

The weapons and utensils of the Lenni Lenape were almost exclusively wrought out of stone. In rare cases bones were worked, whereas the use of metal remained practically unknown. The minerals most commonly employed in the manufacture of implements were flint, quartz, slate, granite, shale, argillite, hornblende, jasper and soapstone. Flint, in particular, was in great demand, since, owing to its brittleness, it was admirably adapted to the fashioning of arrow-points and spear-heads. Dr. Conrad Abbott's classical work "Primitive Industry" contains a complete list of objects made by the aborigines of New Jersey. The principal ones are arrow-points, spear-heads' fish-points, borers, drills, needles, knives, scrapers, polishing stones, war-clubs, pestles, hand-hammers, hatchets, adzes and tomahawks. The Indian workman acquired great proficiency in fashioning knives and other articles out of flint by dexterous percussion or steady pressure. Holes were bored in the hardest stones by swiftly revolving a pointed stick or bone in the material to be penetrated, perhaps using a bit of cord to aid the revolution, by twisting and untwisting, and sand to increase the trituration. The shafts of the arrow-points were about eighteen inches long and made of the wood of the dog-wood tree.

Hatchets and tomahawks consisted of the hardest minerals, such as hornblende and granite, and the perfect shape imparted to these objects is telling proof of the workman's skill in an art which may well nigh be regarded as lost. Supplied with a cutting edge, the result of patient grinding, and one or two grooves to secure the handle, the manufacture of a single hatchet would sometimes necessitate several days' work. In contradistinction from the products of the older stone age, known as palaeolithic, these tools were finely polished and are therefore called neolithic. Bone substance found its principal employment in the making of needles, drills and fish-hooks. It seems, however, that the use of this material was restricted to certain localities such as the Delaware river valley. The so-called pitted hand-hammers served mainly for cracking nuts. Oval in shape and about as large as a clinched fist, they show on two opposite sides a depression or finger pit to enable its

wielder of a firm grip. Wherever the Redman has left considerable traces of his whilom existence, these hammers will not be lacking.

The art of making pottery was introduced among the Jersey Indians at a comparatively late period and had therefore not reached a high degree of perfection. Their pots were made of clay and ground flint, mixed and fashioned by hand and burned in the fire. Some of the potsherds, i. e. fragments of pottery, display crude ornamentation, the most conventional designs being cord-markings, incised lines and dots. Owing to the fragility of these products of primitive ceramic art few of the pots have remained intact. The best specimens, often of huge size, have been discovered in Indian graves.

Up to the middle of the eighteenth century the aborigines were still to be met with in all parts of the state. Long before that time, however, the Whites had begun to purchase, if downright cheating may so be termed, their ancient hunting-grounds, until at length they found themselves disinherited and dispossessed. Reduced to a state of helplessness and exposed to conditions which could not but be repulsive to their innermost instincts, the government recognized the necessity of looking after their interests. Accordingly, about the year 1756, an Indian reservation was established near Burlington. Lingering there until 1806, the remnants of their race were taken to Oneida, in the northern part of New York state.

To infer from the profusion of antiquities, distributed as surface relics all over the state, an erstwhile large Indian population is a mistake all too frequently made by the exoteric public. Reasoning of this sort ignores one important factor. The abundance of prehistoric objects may readily be accounted for, not by assuming a populous race, but rather by the fact that New Jersey had been the home of the savages for at least a thousand years. Hence, notwithstanding their inconsiderable numbers, they have left behind numerous remains of their primitive industry, which were scattered broadcast by reason of their incessant wanderings. These remains indicate plainly enough the localities they once frequented. Through them we may trace their former camping grounds and village-sites, incidentally discovering that they were always situated near some water.

There is one quality above all others which the student of archaeology must endeavor to develop. This property is something akin to instinct inasmuch as its possessor appears to be able to do that which others relying upon their untrained senses, are incapable of performing. It is a characteristic which the archaeologist shares, in a certain sense at least, with the hunter, the trapper, the Indian, and the courier du bois of yore. On the other hand, it is not merely woodcraft, nor is it identical with the faculty of the huntsman to follow the trail of an animal, yet, still, there is one feature common to all these men, namely a highly trained eye coupled with the capacity of utilizing exceedingly slight clews. This quality is indeed susceptible of cultivation and, when developed, it does not appear to fall short of a sixth sense. By means of this highly specialized sense the experienced archaeologist is able to tell almost at a glance, whether or not a certain locality will yield any relics.

Practical archaeology stimulates, willy-nilly, our appreciation of the beauties of Nature, provided there is in us a spark susceptible of such stimulation. Yet perhaps it may be nearer the truth to say that the relation existing between archaeology and Nature is simply reciprocal inasmuch as a passion for either may engender a passion for the other. At any rate, it is true that the pursuit of this science involves much outdoor life. In this wise, viz., through continued communion with Nature we may perchance develop in time that sense of appreciation for her grandeur which appears to have been one of the distinctive features in the ethical make-up of most primitive races. Conversely, it is altogether conceivable that love of Nature, resulting in frequent rambles through woodland and field, may turn out to be a potent agent in awakening a taste for prehistoric research. Lastly, as archaeology, apart from its intellectual import and from bringing us in close touch with Nature, has, moreover, if rightly pursued, a moral side in that it tends to enlarge our sympathies by making us commiserate, as in the case of the Indian, with the fate of a people more sinned against than sinning, it ought to be welcomed as a wholesome occupation beneficial alike to body, mind and soul.

GEORGE HERIOT, AUTHOR-ARTIST

BY J. C. A. HERIOT

GEORGE HERIOT, one of the most prominent of the early American authors and artists, was born at Haddington, Scotland, in 1766. His father was the sheriff clerk for the county of East Lothian and a descendant of the Heriots of Trabroun, an old Scottish family that possessed the lands of Trabroun in East Lothian from 1423 to about 1625. Of this family was the celebrated George Heriot, banker and jeweller to King James I of England, and founder of Heriot's Hospital in Edinburgh, and also Agnes Heriot, mother of George Buchanan, the distinguished Scottish poet, historian and statesman.

Heriot was educated at the Edinburgh High School, and at the University of that city. He began his career as a cadet at Woolwich but subsequently entered the civil service. In October, 1799, he was appointed Deputy Postmaster-General of Canada, a place which he held until 1816. For particulars of his term of office, the student of Canadian History is at present indebted to the late Dr. Kingsford, and according to what he states, Mr. Heriot does not appear in a very favorable light as regards his administration of the office of Deputy Postmaster-General.

"Holding the office as an Imperial appointment, he claimed that he could act only according to the instructions received from the Postmaster-General in London. The Authorities at the Head Office were governed by the principle of having the work performed as cheaply as possible, without regard to the efficiency of the service, or to any Canadian requirement.

"General Sir Gordon Drummond, who was administrator and Commander-in-Chief at this time, intervened to obtain a better

system, and brought the matter to the notice of the Colonial Secretary. Heriot, in defence of his position, explained that his instructions enforced economy, and that he could not increase the expense. Drummond directed the Civil Secretary, Loring, to point out to Heriot that a more frequent transmission of the mail would lead to greater receipts.

“Heriot replied that in 1812 he had pointed out the insufficiency of the service, and the necessity of improvement, but that his suggestions on the matter had received no attention. Drummond continued his efforts to have the service improved, and matters were brought to a crisis, when a request was made by Loring, asking Heriot for definite information about the service between York, Niagara and Amherstburg. Heriot replied that he was governed by Acts of Parliament and written instructions received from the Head Office in London, and he could only report to the lords of that department and receive orders from their Secretary.

“Drummond was so incensed at this reply from the Postmaster that he requested Bathurst to have him removed from office. The date of his last letter on record in the Archives is the 31st of May, 1816.”

Although Dr. Kingsford is severe in his condemnation of Mr. Heriot for his administration of the Canadian Postal Service, the fact must not be overlooked that the system was largely responsible for a great deal of the trouble. As Mr. Heriot himself states, his efforts at improving the service did not receive much consideration. Any steps that he may have wished to take to improve matters, had to be referred to the Authorities in London, who seem to have been most persistent in adhering to a policy that was unworkable, rather than make such modifications as the requirements of a new country demanded.

Mr. Heriot is more favorably known as an author and artist than by his administration of the Canadian Post-Office. During his tenure of office in Canada, he travelled through a great portion of the provinces of Quebec and Ontario, and made himself familiar with the conditions of the Country at that time. In 1807 he published a book of travels through the Canadas, illustrated with reproductions from his own drawings, in which

he describes the condition of the inhabitants, the scenery and the possibilities of the two provinces for the development of agriculture. The book also contains a great deal of valuable information relating to the conditions and habits of the various Indian tribes of North America, which makes the work one of value as a book of reference to those interested in the history of the original inhabitants of this Continent. He seems to have been profoundly impressed with the grandeur of many of the scenes visited during his travels, as may be inferred from his own quaint description of Niagara Falls, which is here quoted as being characteristic of his literary style:

“The Falls of Niagara surpass in sublimity every description which the powers of language can afford of that celebrated scene, the most wonderful and awful which the inhabitable world presents.”

He also visited parts of the United States and, after his return to England in 1816, he travelled through portions of Spain, the South of France and Italy. His literary productions include “Travels through the Canadas,” published in 1807, of which there are three editions, two published in London, in one of which the plates are colored, and a third published in Philadelphia in 1813 without illustrations; “A History of Canada;” a picturesque tour made in 1817-1820 through the Pyrenees Mountains, Auvergne, the Department of the High and Low Alps, and a part of Spain, and “A descriptive poem” written in the West Indies and published in London in 1781.

All of the above and a large number of his water color sketches are in the British Museum. Of the latter he has left numerous examples, as he seems to have been most prolific in the use of his brush, both in oil and water color. His technique is characteristic of the work of his time, his drawing is good and his work always interesting. His faculty of expressing distance and atmosphere in even the smallest of his sketches, is expressive of a high artistic temperament.

Among the examples of his work reproduced with this article, is one of the Government Buildings at Washington before they were destroyed by the British Army during the war of 1812-1814. The original picture was exhibited at the Centennial Ex-



QUEBEC, FROM THE ST. CHARLES RIVER,
As it appeared in 1805

From a Water Color by George Heriot



THE GOVERNMENT BUILDINGS AT WASHINGTON, D. C.
Before their destruction in 1814

From a Water Color by George Heriot

hibition, held at Philadelphia in 1876 and attracted much attention.

Some of the old families in the Province of Quebec with whom he was on most intimate terms, and various relatives, are in possession of numerous examples of his work, and the two subjects reproduced in connection with this article are from his original sketch books, containing about five hundred sketches made in England and Canada, and are in possession of the present writer.

Heriot died in England in 1844 unmarried. His older brother John, was like himself, a man of literary tastes. Entering the navy as lieutenant of marines in 1778, he saw considerable service on the West coast of Africa, and in the West Indies. He was present and was wounded in Rodney's action with the French fleet under DeGuichen April 16, 1780. At the conclusion of "peace" in 1783 he was placed on half pay. In 1792 he founded the "London Sun" and the "True Briton" in 1793, both of which were started in support of the policy of Wm. Pitt. He edited both of the above papers for several years, besides being the author of several works. In 1809 he was appointed Deputy Pay-Master General of the troops in the Windward and Leeward Islands.

On his return to England in 1816 he was appointed Comptroller of Chelsea Hospital, which post he held until his death in 1833. His younger brother Roger settled in Charleston, South Carolina, and was prominent in the social and professional life of that city for nearly fifty years. His character is fittingly described in Thomas' "Reminiscences of Charleston." His only sister Sophia, married Mr. Melmonth Guy of Kenton Hall, Devonshire, and Grosvenor Square, London.

Her only son, the late Lieut. Gen. Sir Phillip Melmonth Nelson Guy, K. C. B. served with distinction through the Indian Mutiny, and commanded the Third Infantry Brigade at the relief of Lucknow, besides holding several important commands at home and abroad. Robert Heriot, a cousin of George Heriot, who settled in South Carolina in 1759, served under Washington with the rank of Colonel in the War of the Revolution.

Some Canadian writers confound George Heriot with his

cousin Major General, the Hon. Frederick George Heriot, C. B. who served with distinction in Canada through the war of 1812-14 with the rank of Major and later as Lieut. Col. in the Canadian Voltigeurs.

He was for many years a prominent man of affairs in the province of Quebec.



THE LITTLE WARS OF THE REPUBLIC

BY JOHN R. MEADER

PART III.—THE WHISKEY REBELLION

THE question of man's right to use the grain of his own raising for the manufacture of spirits, regardless of Federal legislation and free from Federal tax, has long been the subject of dispute. Even to-day, in some sections of the country, there are illicit stills in full operation, and those who own them excuse their acts by the same arguments that were used by the distillers in Western Pennsylvania in the latter part of the 18th century. Now, as then, men who are in other respects honest and conscientious, insist that they are justified in making such disposition of their own grain as they may see fit, and are willing to go to any extreme to defend the "privilege" of which the Government has elected to deprive them. Even Hamilton himself realized how objectionable the excise had always been, and anticipated that laws that proposed to lay excise duties upon spirits distilled within the United States would meet with some opposition, but it is doubtful if even he imagined that the antagonism to the whiskey tax would anywhere be carried to such an extreme as to amount to open rebellion.

It was at his suggestion that, in 1791, Congress passed the first laws providing for the collection of excise duties from all manufacturers of spirits. According to this act, and the subsequent acts of May, 1792, all spirits of the first proof, if distilled from materials of the growth or product of the United States, were taxed 7 cents a gallon; of the second proof, 8 cents a gallon; third proof, 9 cents a gallon; fourth proof, 11 cents a gallon; fifth proof, 13 cents a gallon, and sixth proof, 18 cents a gallon. It was also stipulated that stills of less capacity than four hun-

dred gallons per annum should pay yearly 54 cents for each gallon capacity, or, if the proprietor preferred, he might pay 7 cents for each gallon distilled, or at the rate of 10 cents per gallon on the capacity of the still for each month that it was operated. (Acts of 2nd Congress, Chap. XXXII, May 8, 1792).

There were many sections of the country in which the new laws were received with anything but approval, but the burden fell most heavily upon the four counties in Western Pennsylvania—Washington, Westmoreland, Alleghany, and Fayette. It was there that the largest crops of grain were raised—crops that were so abundant that it was impossible for the farmers to market them profitably except when distilled into whiskey. Up to this time, no objections had been made to this mode of disposing of the large crops of grain, and spirits had become a standard article of commerce, a gallon of good “Monongahela” whiskey being received as the equivalent of a shilling over the counters of any store in that region. A tax of even 7 cents a gallon upon this product of home industry was, therefore, regarded as the rankest possible extortion, especially in view of the fact that it was upon the distilling of spirits that the people of this community place their greatest dependence.

The first law went into effect on July 1, 1791, and the trouble in Western Pennsylvania began almost simultaneously with the attempt to enforce it. Public meetings of protest were called in nearly all the large towns, at which the acts of Congress were denounced as a menace to personal liberty that must be opposed to the last extremity. On July 27, a meeting of the distillers was held at Red Stone Old Fort (now Brownsville), at which calls were issued for two conventions, one to be held at Washington on August 23, and the other at Pittsburg, on September 2. Both convened and at both the law was not only denounced in unqualified terms, but the people of the community were urged to withhold from the officials selected to enforce the laws “all aid, support, and respect.” Already the motto, “*Liberty and No Excise!*” had been adopted, and with this as the rallying cry, the insurrection steadily increased in volume.

It was on September 1st, just one day preceding the convention at Pittsburg, that the first overt act of protest against what

was termed "coercive authority" occurred. Up to this time, the opposition to the excise had developed only verbal protest and while threats against those who accepted office under the new laws were common enough, there had been no resort to force. On the first day of September, however, a party of men, disguised and armed, waylaid Robert Johnson, the collector for Washington and Alleghany counties, and not only tarred and feathered him, but cut off his hair in a most grotesque fashion and, stealing his horse, left him to make his escape on foot.

In spite of the effort of the men to disguise their identity, Johnson recognized several members of the party, and as soon as he was able to appear before the District Court at Philadelphia, seventeen warrants were issued. To issue the warrants was one thing, however, to serve was quite a different matter. The marshal sent his deputy to Washington county, but he found the feeling against the Government so strong that he concealed the nature of his errand and returned without having effected a single service. How to deliver the processes in person, that attendance at court might be required, was a problem that was not easily solved, but it was finally settled by sending them back by the hands of a poor, half-witted cow driver who was deputized for that purpose, but when it was found that his letters contained writs, he was seized, whipped, tarred and feathered, his horse was taken from him, and, blindfolded, he was tied to a tree in the depths of the forest, and left to his fate. Fortunately, he was discovered in time to save his life.

By this time the minds of the people had become inflamed to such a degree that there were no limits to which they were not prepared to go. Even a weak-minded man named Wilson was not safe from their fury, for when he conceived the idea that he was an excise inspector, and went about pretending to gather evidence, a mob was quickly formed to deal with him. A little common sense should have been sufficient to assure the mob leaders that there was not an atom of truth in his story, but common sense seems to have been the one thing most lacking at this time. Accordingly, he was seized, branded, tarred and feathered, and, when his clothing had been burned, the unfortunate idiot was turned loose in this painful plight to seek unaided

for relief. Moreover, two men who had chanced upon the scene, and who were thus innocent spectators of the outrage upon Wilson, were seized and kept prisoners for some time that there might be no danger of their appearing against the rioters. In fact, no person was exempt from possible suspicion; no person was without danger from the fury of the mob. If it was even hinted that a farmer had given information to the excise officials, his barn was promptly burned. In August, 1792, Captain Faulkner was beaten as well as tarred and feathered for having rented his house to a collector, and, about the same time, a man named Roseberry was accorded the same treatment, merely for having remarked that people should not expect the Government to protect them when they were so strenuous in opposing Federal law.

Uncontrollable as popular feeling had become, however, it was still further increased when it was decided that the State courts had no jurisdiction to try cases for violation of, or resistance to, the excise, but that instead, those arrested must be taken for trial to Philadelphia, a distance of about three hundred and fifty miles.

Such open defiance of the law could not, of course, pass unnoticed on the part of the Federal authorities, for it was soon seen that the fate of the government depended to a great degree upon the enforcement of its statutes. If the administration was unable to make the distillers of Western Pennsylvania obey the law, it could not logically look for obedience to laws that might be somewhat distasteful to people in other sections of the country. To meet this emergency, therefore, President Washington issued a proclamation, condemning the acts of lawlessness, announcing that the laws were to be enforced at all hazards, and warning the people to return to their allegiance to the nation without delay. As further proof as to the temper of the Government, indictments were found against several men who were known to be prominently associated with the mob proceedings, and process was issued against a large number of distillers who had been conspicuous in their defiance of the laws.

Of course, all the distillers in Western Pennsylvania were not guilty, either of the crime of rioting, or even of non-compliance

with the Federal statute. Not a few were secretly friendly to the Government, and if not in full sympathy with the excise, were quite willing to pay the tax imposed, but fear of the vengeance of the people prevented them from expressing such opinions or from committing any act that might stamp them as not in full accord with the reign of terror that had been inaugurated.

Under such conditions, the enforcement of the law became a matter of great difficulty, and when the authorities showed any leniency, in the hope of persuading the distillers that it was to their interests to pay the tax, the factionists announced that the Government was afraid of proceeding against them, and that victory was merely a matter of continued resistance.

However good the intentions of the Government may have been, time soon proved that its method of handling the whiskey problem in Pennsylvania was the worst course that could have been pursued. Its laxity in collecting the tax, the small number of its arrests and convictions, and its failure to protect those who were known to be friendly to the new law—all indicated a weakness that acted materially to the advantage of the opposition. Thus, the acts of violence continued, and threatening circulars signed by "Tom the Tinker"—the title that John Holcroft, one of the mob-leaders, had assumed—appeared with startling regularity, for it was by the publication of these circulars that the factionists were summoned to "mend the still"—the term by which their illegal deeds were known.

Thus, two years went by, with the insurrection still unsuppressed. Early in 1794, a barn belonging to Robert Shawan, a wealthy distiller who was known to have paid his tax, was destroyed by fire, and the same penalty was imposed upon William Richmond, a man who was suspected of having imparted information as to the identity of some of the rioters. In fact, outrages of almost every sort occurred. Houses and other buildings caught fire mysteriously, stills were destroyed, and life was repeatedly threatened. To be known as a law-abiding citizen was to court almost every conceivable danger.

Naturally the insurgents were not without leaders, for there were plenty of men of prominence in the community who, while

not outwardly approving of all the acts of the mobs, were willing to take advantage of the situation to further their own ambitions. If they did not place themselves liable to the law by actually participating in the outrages committed, their intemperate speeches did much to inflame the populace and keep the feeling of discontent at fever heat. Chief among these was David Bradford, an old and wealthy settler, and prosecuting officer of Washington county, and his influence was largely due to the fact that his interest in the "cause" did not stop short of active participation in the outrages of the mob. His associates, Marshall, Findley, Smilie, Husbands, Breckenridge, and Gallatin, were not less ready to talk than he, but he alone was bold enough to aid the mobs in their work of violence.

In June, 1794—the month in which the annual registration of stills was to be made—excise offices were opened in Washington and Westmoreland counties. Locations were found with much difficulty and the arrival of the officers was the signal for more rioting. Again and again the offices were attacked by armed men, and so much determination was shown by the mobs that the Washington office was finally closed. That in Westmoreland remained open, however.

In July, the Marshal from the Philadelphia court, in company with General John Neville, one of the most intrepid inspectors in the Government service, went out to serve fifty processes in the western counties, and no marked opposition was shown until the last writ was about to be served. This process was for a man named Miller, a farmer and distiller who lived about fourteen miles from Pittsburg, on the road to Washington.

It was on the 15th of July that the officers reached the farm, where they were told that they would find their man in a field quite a distance from the house. Upon hearing the writ read, Miller showed little objection to accompanying them, but his men spread the alarm, running through the country crying, "To arms! The Federal sheriff is taking away men to Philadelphia!"

The Mingo Creek Regiment, a select corps of Militia, was recruiting near the scene of the last arrest, and several of the members seized their guns and joined the rioters who, under the leadership of Holcroft, started in pursuit of the Federal offi-

cials, and, at daybreak the next morning, they drew up in front of General Neville's house, and demanded, not only the release of the prisoners, but the body of the Marshal also. General Neville's response was to fire upon the mob, but, while several shots were exchanged, the attacking party realized that it was too small to enforce its demands, and finally retreated to the woods, carrying six wounded men with them, and leaving one dead near the house.

Knowing that the temper of the mob had not been improved by defeat and that, after spending the day in drinking and recruiting, they would undoubtedly return for revenge, General Neville appealed to the judges, the generals of militia and the sheriff of the county for protection, but all replied that they were unable to help him, adding that while the people in that section of the State were too generally opposed to the revenue law to make it possible to enforce the laws in such an emergency, they would assist him in bringing to justice any rioters whom he could identify.

Realizing the impossibility of expecting aid when even the members of the militia were participants in the mob, he sent to Fort Pitt, and succeeded in securing a detachment of eleven men who were placed under the command of Major Abraham Kirkpatrick. At the advice of this officer, General Neville and the Marshall withdrew from the house and made their escape down the Ohio.

As had been anticipated, the mob showed no inclination to accept its temporary defeat tamely, and, by the night of the 16th, more than five hundred insurgents had gathered at Cauche's Fort, a few miles from the Neville home, and on the morning of the 17th, they renewed their attack. Seeing the impossibility of defending the house against such a force, Major Kirkpatrick attempted to capitulate in favor of the property, but when it was ascertained that the general and marshall had gone, and only the soldiers remained, nothing would suit the mob but absolute surrender. To this, the major would not agree, and in a moment the firing commenced. For over an hour the fighting continued. In the meantime, however, the adjacent out-buildings had one by one been fired, until eight were burning vigorously.

A few minutes later, the house caught, and, seeing that it was useless to defend it longer, Kirkpatrick and his little party appeared at the door and surrendered.

On July 23, a convention of farmers and distillers met at Mingo Creek to consider the situation, but, as they dared not approve the action of the insurgents, they succeeded in getting around the question by refraining from discussing it. At the same time, the speeches of the leaders were as intemperate as ever, and David Bradford volunteered to ascertain definitely who the supporters of the Government were.

Two days later, two armed men—one believed to have been Bradford himself—stopped the mail-carrier at Greensburg, while he was on his way from Pittsburg to Philadelphia. The mail bag was carried to Canonsburg, where Bradford, with Colonel John Canon and a Mr. Speer, a storekeeper, proceeded to open the letters. Those that were of a harmless character were sent back to Pittsburg by a messenger, but all that contained sentiments of disapprobation regarding the conduct of the insurgents, or other indications of loyalty to the Government, were held as documentary evidence against the writers.

A call had been issued for a great mass meeting to be held at Parkinson's Ferry on August 14, but as the tame discussion of the situation—the purpose involved—was not sufficiently exciting to meet with Bradford's approval, he issued a call, in the form of an order to the officers of militia, commanding them to meet at Braddock's Field, August 1, with as many volunteers as possible. The call read:

“Here, sir, is an expedition proposed in which you will have an opportunity of displaying your military talents, and of rendering service to your country. Four days provisions will be wanted; let the men be thus supplied.”

From the day that this muster was announced, the most alarming rumors began to be brought to Pittsburg. It was said that the town was to be burned—that the military stores were to be seized and used by the insurgents—that the only hope for the citizens was prompt acquiescence in all the demands of the “Whiskey Boys.”

If the truth had been known, it is probable that the alarm felt in Pittsburg would have been as great, for there is little doubt but that Bradford and his associates had hoped to be able to seize Fort Pitt and the Federal arsenal, and form an independent State to be composed of the counties west of the Alleghany Mountains. That they failed to attempt to carry out this plan was simply owing to the fact that several of the leaders lacked the courage to give the spirit of rebellion so free a rein.

As it was, nearly seven thousand men answered the call to Braddock's Field, and Bradford, assuming the office of major-general, reviewed the troops. The night before the rendezvous, four men rode into Pittsburg on horseback, and introduced themselves as the representatives of the insurgents. As the citizens were then at a mass meeting at which the situation was being discussed, the visitors were invited to state their terms. They, therefore, stipulated that four men (those whose letters had been taken from the post-bag) should be banished immediately, and that, the next morning, every inhabitant in the town should march to Braddock's Field. To these conditions the people assented, and it is believed to be due to this fact, and to the hospitality with which they received and fed the troops, that the town owed its safety.

Realizing that the situation was daily becoming more serious, President Washington invited General Mifflin, then governor of Pennsylvania, to meet the cabinet and decide what action was best suited to the emergency. Like the governor, Washington was opposed to any step that might lead to bloodshed, unless it should later be shown that nothing else would suffice. As the result of this conference, the President issued, on August 7, a proclamation that briefly recited the acts of the insurgents and the steps that had been taken to check them, and concluded with the announcement that if all insurgents had not dispersed and retired to their homes before September 1st, forcible measures would be employed to put an end to the reign of disorder. On the same day a requisition was made upon the governors of Pennsylvania, Maryland, Virginia, and New Jersey, for their quotas of militia to compose an army of 12,950 men, all to be ready to march before September 1.

In the hope that the movement of the military force might be avoided, if possible, a commission of five members was appointed, three by the President (the United States Attorney General, Judge Yates, of the Superior Court, and Senator Ross of Pennsylvania) and two by Governor Mifflin (the Chief Justice of the State and General William Irvine) to treat with the insurgents on the occasion of their great rally at Parkinson's Ferry. The factionists appointed a committee of safety composed of sixty members, and they later chose a special committee of fifteen to confer with the commission. The requirements included "an explicit assurance of submission to the laws, a recommendation to their associates of a like submission, and meetings of citizens to be held to confirm these assurances. All public prosecutions were to be suspended until the following July, when, if there had been no violations of the law in the interval, there should be a general amnesty."

These conditions were deemed most reasonable by the special committee, but Bradford and his associates were not disposed to permit their adoption. Instead, they laughed at the Government's threats; banners bearing the mottos, "Liberty and No Excise!" and "No Asylum for Cowards and Traitors!" were unfurled, and assurance was given the public that the insurgents would marshal an army against which the Federal forces would be powerless.

To induce further rebellion, representatives of the "Whiskey Boys" were sent through the adjacent country—especially into Maryland and Virginia—to raise the red flag of anarchy and to preach the doctrine of resistance to the excise. In the meantime, however, more conservative influences were at work in Pennsylvania. Albert Gallatin, the secretary of the body of insurgents was an accommodationist, and deplored the spirit of treason that Bradford was so eager to foster. Accordingly, he not only favored the adoption of the terms of the commission but urged this action with all his eloquence at every opportunity. The best he could do officially was to secure a vote from the committee of sixty to the effect that they believed that it would be to the advantage of the factionists to accept the commission's

terms if it could be done without either promise or pledge of submission.

As such a half-hearted acceptance of the terms was tacitly a rejection, the President, on September 25, issued a second proclamation in which he announced the movement of the militia under the command of General Henry Lee. This, more than anything that had yet occurred, tended to make converts to the moderate wing of the insurgent party, and, by the time the second convention met at Parkinson's Ferry, on October 2, the radicals, including Bradford, had fled to foreign soil, leaving practically no one to oppose the passage of the resolution of submission.

(To be Continued.)

THOMAS PAINE'S LAST DAYS IN NEW YORK

BY WILLIAM M. VAN DER WEYDE

SECRETARY OF THE THOMAS PAINE NATIONAL HISTORICAL ASSOCIATION

THERE was an element of pathos in the return to America of Thomas Paine in the latter part of 1802.

Paine had left America, once independence had been firmly established here—an independence that he had contributed very largely to bring about through the publication of his remarkable pamphlets “Common Sense” and “The Crisis”—and in France had been hailed as the great liberator, humanity’s best friend.

He was in the very prime of life during his stay in France, a rather handsome man, with a singularly intellectual face, deep-set piercing eyes, and a profusion of rich brown hair.

Several departments in France had vied with each other for the honor of having Paine represent them in the Convention. He elected to go as the Deputy from Calais. At the Convention he made his memorable plea for the life of Louis XVI, whose blood the frenzied revolutionists demanded. Louis had greatly befriended the United States in its revolution against Great Britain and Paine pleaded for the termination of the existing form of government but the sparing of the King’s life. “Kill the King,” he said, “but spare the man.”

The Reign of Terror not only guillotined Louis but also thrust Paine in the Luxembourg prison. By the merest accident Paine escaped the guillotine himself. As it was he came out of prison so ill that only the careful nursing and ministrations of James Monroe and his wife restored him to health. James Monroe, later President of the United States, was then United States Minister to France, and one of Paine’s best friends. So seriously ill was Paine at this period that for a while Monroe despaired of his recovery and several newspapers reported his death.

When Paine was on the road to recovery and gaining strength day by day he took up once more his great work "The Age of Reason," the first part of which he had already published. He labored assiduously upon the second part at Mr. Monroe's home in Paris. The storm of abuse, misrepresentation and vilification that followed the appearance of the first part of "The Age of Reason" was repeated with even greater vehemence when part II was published. To properly understand the situation cognizance must be taken of the fact that one hundred odd years ago what we now recognize as the most elementary religious truths were not accepted. The whole development of religious and scientific thought during the past century has tended to confirm Paine's theological views. Present day Unitarianism occupies much the same position that Paine took and the so-called "higher criticism" of to-day is but an amplification of his religious writings. Theological thought of a century ago was no more nor less than blind acceptance of both old and new testaments in their entirety. Paine was undoubtedly a religious man, a pronounced and avowed Deist, and his "Age of Reason" was, as a matter of fact, written to combat the growing Atheism of France in the latter part of the eighteenth century. But there being "none so blind as those that will not see," the author was charged with Atheism and bitterly attacked therefor, not only in his lifetime but for nearly a hundred years succeeding his death.

Paine was getting well along in years when he left France to return to America. He had been away for fifteen years, years filled with chagrin and disappointment to that brave soul whose every heart beat was in humanity's behalf. He had seen liberty's sun turn to blood in France and was heartsick and homesick when on Sept. 1, 1802, he embarked at Havre for his beloved America. Here he hoped to end his days in peace.

A journey of sixty days brought the great author safely across the seas to his circle of friends in America, among them Jefferson, DeWitt Clinton, Benjamin Rush, Albert Gallatin, John Wesley Jarvis and others. Many of his dearest friends, among them Franklin, Rittenhouse and Muhlenberg, he was pained to learn, had been claimed by death. Some others, either

believing the malicious tales that were circulated by persons interested in defaming the author of "The Age of Reason," or crediting (without reading the book) the report that had industriously been spread that Paine had written "a book of terrible blasphemies," etc., etc., shunned the great man and even aided (perhaps ignorantly) in the further circulation of the baseless reports.

A number of Paine's staunchest friends arranged an elaborate banquet for him at the City Hotel in New York City. There he renewed acquaintance with many old friends, brother patriots in Revolutionary days, and distinguished gentlemen of New York City.

The "National Intelligencer" in warmly welcoming Paine upon his return to this country, said, in the course of its greeting: "Be his religious sentiments what they may, it must be their (the American people's) wish that he may live in the undisturbed possession of our common blessings, and enjoy them the more from his active participation in their attainment."

In Washington Paine was cordially received by Jefferson and his old friend, James Monroe, who was about to start again for France to take up once more the duties of Minister to the United States.

In March, 1803, Paine went with Col. Kirkbride, an old friend, to visit historic Trenton. So furious was the pious mob that there awaited him that, ignoring all Paine had done for American independence, he was hooted and jeered and refused a seat in the Trenton stage-coach.

The jeering mob little remembered that the decisive battle of Trenton had been won by the Americans as a result of Paine's soul-stirring pamphlet, "The Crisis," commencing with the famous words: "These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of his country; but he that stands it *now* deserves the love and thanks of man and woman. Tyranny, like hell, is not easily conquered; yet we have this consolation with us, that the harder the conflict, the more glorious the triumph. What we obtain too cheap we esteem too lightly; 'tis dearness only that gives everything its value."



The Old House (still standing) on Bleeker St., New York City, where
Paine lived in his old age

Washington had "The Crisis" read to every regiment under his command the night before the Battle of Trenton, and he (as well as a number of the nation's historians) give Paine credit for the great victory that resulted. Yet twenty-seven years after that great battle of 1776 the author of "The Crisis" was jeered in Trenton streets. Such is the gratitude of a people!

Paine determined to go to New Rochelle and take up his residence on the farm of two hundred and seventy-seven acres that had been presented to him by act of the State of New York in recognition of his services during the Revolution. The farm had originally belonged to a Tory named Frederick Devoe, who was the overseer and pound master of the town. Devoe, openly declared a traitor by his patriot townsmen, fled to Nova Scotia, a British possession. The State of New York included in its gift to Paine the old Devoe house, a large stone residence. Paine had planned to make this his abode but the old Devoe house, during Paine's stay in Europe, was burnt to the ground, only fragments of its foundation stones being left on the site.

Paine hardly hoped to have sufficient funds to erect a new house in place of the structure destroyed by fire. But he found himself able before long to do so and he put up in place of the old stone structure the pretty little frame house which is still standing and which has recently been transformed into a museum. In a room probably occupied by the great author as a bed room is to be seen a remarkably life-like wax figure of Paine seated in the very chair that he used to occupy when living. On the walls are scores of framed portraits and other pictures having to do with "the author-hero of the American revolution." Among the relics exhibited is a very interesting fragment of Paine's gravestone. In a handsome old-fashioned book case are exhibited valuable first editions of the author's works, "Common Sense," "The Crisis," "The Rights of Man," "The Age of Reason," and others. The idea of a Paine National Museum originated with the Thomas Paine National Historical Association, which collected the various relics, etc., and in whose charge is vested the museum's management. Hundreds of admirers of Paine attended the opening exercises and dedication of the museum.

In this attractive little house Paine lived during the summer of 1804 and the following winter. During the spring and summer of 1805 he alternated between New Rochelle and New York, devoting himself mainly to writing on matters of public interest.

Paine spent the winter of 1805 in New York surrounded by a circle of very interesting friends who discussed with the old man (now 68) the subjects dear to his heart. Thomas Addis Emmet, (a brother of the great Irish patriot, Robert Emmet), was a member of this interesting group, as was also Robert Fulton, the inventor. Paine as the inventor of the iron bridge, successor to the old wooden bridges, and forerunner of the great steel bridges of today, found in Fulton a congenial mind with whom he could discuss steam navigation, bridges and other plans and inventions. These and kindred subjects they often discussed far into the night.

The following summer found Paine again at his pretty little frame house in New Rochelle, a property of which he was especially fond because he had built it himself. He was in poor health and his means were now small. For several years he had maintained an entire family—that of his good friend Nicholas Bonneville, with whom Paine had lived in Paris. This and other charities, coupled with the fact that Paine accepted no royalties or profits of any kind on any of his works—none of his books were even copyrighted in his name—left him in his old age with little money.

Paine, who had never recovered the health he enjoyed before entering the Luxembourg prison, was now suffering from a number of ailments. He had hoped that a sojourn at his farm would greatly benefit him. He found that it did not.

Perhaps the worst blow the great old patriot suffered, however, was when in the course of the year an election was held in New Rochelle and Paine, offering his ballot at the polls, was refused the right to vote. A vote was denied him on the absurd grounds that he was *not an American citizen*, the reason advanced being that he had forfeited his rights to citizenship in America by reason of his activities in France in liberty's behalf! This was the bitter draught New Rochelle offered to her most

distinguished citizen. It is an undoubted fact that Paine *was* entitled to vote at the New Rochelle election.

The refusal to accept his vote, added to gross and brutal insults which were offered him by some of the residents of the town—to say nothing of an attempt to assassinate the aged author by rifle shots fired as he sat at his study window—resulted in his determination to leave New Rochelle and take up his home in New York. This he did in June, 1807, removing to a house in Bleecker street (then Herring street).

He had become very weak now and feared a total palsy. He had little appetite and almost no strength. Although he suffered greatly he never complained. His mind remained, however, vigorous and active and he was much interested in the politics of the day. He wrote very little—as far as is known nothing besides a brief letter, or address, “To the Federal Faction,” and his will.

Paine’s friends shamefully neglected him. The painter John Wesley Jarvis and a few other close friends stopped in to see him once in a great while. Madame Bonneville rather faithfully attended him but he had no other regular visitor save the doctor. When he felt able to do so he sat up in a chair by his window with a table before him on which rested writing materials in case he should wish to place his thoughts on paper.

In the early part of 1809 the great man was rapidly becoming weaker. Madame Bonneville thought that she should be with him now all of the time and hired a little house on the site of what is now 59 Grove street. This dwelling was but a stone’s throw from the house on Bleecker street and to it Paine was removed in an arm chair.

A report was circulated that “the infidel Tom Paine” was dying and fanatics of all sorts descended upon the house. Two clergymen gained admittance to his bedroom and accusing the dying man of atheism besought him to repent. Paine merely said “Let me alone. Good morning!” To the end Paine’s mind was clear and he maintained his convictions to his last breath.

Reports were spread that the “infidel” had made a deathbed recantation, but it has been definitely proved that all such stories were baseless fabrications. Paine died very peacefully at eight

o'clock on the morning of June 8, 1809. He had expressed a desire that his body be interred in the Quaker burial grounds in New York, because he had many friends among the Quakers and his parents had also been Quakers. The request for permission to carry out these wishes was however denied. As Paine had foreseen the possibility of this refusal he had expressed as a second choice a corner of his farm at New Rochelle. There the body was taken on June 10 and interred.

About ten years later, William Cobbett, the English radical, visited America, dug up at night the bones of the great liberator and made off to England with them. He hoped with the remains to stir up a revolution in England and also planned to erect there a worthy monument, with the remains beneath. Neither of his plans were carried out, however. The remains of the famous author have never been located although great effort has been made to trace them. A small fragment of the brain was found and properly authenticated—that is all. The fragment now rests under the Paine monument, near the old Paine house, in New Rochelle.

HISTORY OF THE MORMON CHURCH

BY BRIGHAM H. ROBERTS, Assistant Historian of the Church

CHAPTER XXVIII

DISSENTERS AT FAR WEST—MORMON “DECLARATION OF INDEPENDENCE.”

JOSEPH SMITH arrived at Far West on the 14th of March, 1838. He was met “with open arms and warm hearts” by the Saints. “You may be assured,” he wrote to the faithful at Kirtland, “that so friendly a meeting and reception paid us well for our long seven years of servitude, persecution and affliction in the midst of our enemies in the land of Kirtland; yea, verily, our hearts were full, and we feel grateful to Almighty God for his kindness to us.”¹

It was evident that the Saints would become a political factor in Missouri, and that not only as controlling in Caldwell county, but also as affecting political conditions in the other counties, where they were settling. This made it important that their attitude in respect of politics should be declared. Accordingly, a few days after the arrival of the Prophet at Far West, while walking about the city in company with a number of brethren, he dictated the following as outlining those political sentiments and principles, by which the Saints would be governed:

“The Constitution of our Country formed by the Fathers of Liberty. Peace and good order in society. Love to God, and good will to man. All good and wholesome laws, virtue and truth above all things, and aristarchy, live for ever. But woe to tyrants, mobs, aristocracy, anarchy, and toryism, and all those who invent or seek out unrighteous and vexatious law suits, under the pretext and color of law, or office, either religious or po-

1. Documentary History of the Church, Vol. III, pp. 10-11.
(911)

litical. Exalt the standard of Democracy. Down with that of priestcraft, and let all the people say amen! that the blood of our fathers may not cry from the ground against us. Sacred is the memory of that blood, which bought for us our liberty.²

This has become known in the Church annals as the "political motto" of the Church.³

On the 6th of April a general conference was held at Far West at which Thomas B. Marsh was appointed President *pro tempore* of the Church in Missouri, with Brigham Young and David W. Patten as Counselors.⁴ The reason for appointing them *pro tempore* was because they were of the general authorities of the Church called to act in a local capacity. John Corril and Elias Higbee were appointed Church Historians;⁵ George W. Robinson General Church Recorder and Clerk to the First Presidency;⁶ Ebenezer Robinson Clerk and Recorder for Far West, and Clerk of the High Council of that state. The appointments had become necessary because of the rejection of the local

2. The Brethren, who were present and with the Prophet signed this out-giving were: Joseph Smith, Jr., Thomas B. Marsh, David W. Patten, Brigham Young, Samuel H. Smith, George M. Hinkle, John Corril, and Geo. W. Robinson.

3. It is so referred to in the communication of the Prophet to the faithful in Kirtland under date of March 29th, 1838. Documentary History of the Church, Vol. III, p. 12.

4. Elders Marsh & Patten had been acting as the Presidency of the Church in Missouri since the deposition of David Whitmer and his counselors, in February. (Documentary History of the Church, Vol. III, p. 6.).

5. On the day that the Church was organized, April 6th, 1830, a commandment was given that a record of events should be kept in the Church which of course implied that there must be a recorder and historian appointed. (Doc. & Cov. Sec. 20). During the first year of the Church's existence Oliver Cowdery had evidently filled both those positions. On the 8th of March, 1831, John Whitmer was appointed "to keep the Church record and history continually;" for "Oliver Cowdery," said the Lord, "I have appointed to another office." (Doc. & Cov. Sec. 47, 3). This office of Historian John Whitmer continued to hold until deposed and succeeded by Elders Corril and Higbee as related in the text above. President Smith and Rigdon demanded the records and history kept by John Whitmer but he refused to give them up; (Documentary History of the Church, Vol. III, pp. 15, 16) nor could a copy of his history be obtained by the Church until 1893. Said copy in *Ms.* is now on file in the Historians office, at Salt Lake City.

6. George W. Robinson had been appointed to this office by the conference held at Kirtland on the 17th of September, 1837, (Documentary History of the Church, Vol. II, p. 513). So that the action at the Far West conference was confirmatory of his first appointment. It would seem also that Cowdery had acted as Church recorder at Kirtland; since following the notice of Robinson's appointment the announcement is made that he was elected "in place of Oliver Cowdery, who had removed to Missouri." Robinson was a native of Vermont, born in 1814; and was son-in-law to Sidney Rigdon, having married his eldest daughter, Athalia.

Presidency of the Church in Missouri, and the excommunication of the Church Historian, John Whitmer.

A question had arisen in the Church as to the disposition that should be made of the lands still owned in Jackson county by the Church and by individual members. Some held that to sell these lands would be an evidence of a lack of faith in the promises of God with reference to the establishment of the City of Zion in Jackson county. Indeed, in an "Appeal" made to the world in July, 1834, after the disbandment of Zion's camp, and all hope of the immediate return of the Saints to Jackson county was abandoned—in discussing the "old settlers" proposition to "buy or sell" lands, the appeal referred to, said: "To sell our land would amount to a denial of our faith, as that land is the place where the Zion of God shall stand, according to our faith and belief in the revelations of God, and upon which Israel will be gathered, according to the prophets."

This view persisted in the minds of a great number of the brethren.⁷ Others again, feeling the pressure of present needs, thought it not amiss to sell those lands, in order to employ the means thus obtained in prosecution of their present enterprises, trusting to the future to develop ways and means for the redemption of Zion.

Among those who held this latter view were the Whitmers, W. W. Phelps, Oliver Cowdery and others. Early in February, 1838, hence before the arrival of the Prophet in Far West—the Presidency of the Church in Missouri, David Whitmer, W. W. Phelps and John Whitmer were arraigned before a "committee of the whole Church in Missouri, in general assembly," charged with selling their lands in Jackson county, and with other offences—David Whitmer for persisting in the use of tea, coffee

7. The rightfulness of their view is supported by the following instructions given by revelation in December, 1833, when the question of disposing of the Gilbert and Whitney store at Independence was being considered: "And again, I say unto you, it is contrary to my commandment, and my will, that my servant Sidney Gilbert should sell my storehouse, which I have appointed unto my people, into the hands of mine enemies. "Let not that which I have appointed be polluted by mine enemies, by the consent of those who call themselves after my name. "For this a very sore and grievous sin against me, and against my people, in consequence of these things which I have decreed and are soon to befall the nations. "Therefore, it is my will that my people should claim, and hold claim upon that which I have appointed unto them, though they should not be permitted to dwell thereon;" (Doc. & Cov. Sec. 101: 96-99.)

and tobacco, in violation of the Word of Wisdom; John Whitmer and W. W. Phelps for claiming money which really belonged to the Church. The result of the meeting was the rejection of this local presidency by the Saints in Far West, and in all the other settlements of the Saints in Upper Missouri.⁸

Subsequently John Whitmer and W. W. Phelps were charged before the High Council at Far West "for persisting in unchristian like conduct"—presumably still claiming the money which belonged to the Church. The accused brethren refused to appear before the High Council on the ground that the tribunal was illegal, composed of men prejudiced against them, and who had already given an opinion or judgment regarding the matters at issue. This was conveyed to the council by a written communication, signed by them and David Whitmer in their official capacity as "Presidents of the Church of Christ, in Missouri," thus ignoring the action of the Church in "committee of the whole" in rejecting them as a presidency, which was counted as adding to their offences, and the two brethren who had been summoned before the council were excommunicated.

Later, namely, on the 7th of April, a series of charges were preferred against Oliver Cowdery to Bishop Partridge, and subsequently—on the 11th—to the High Council of Far West, by Elder Seymour Brunson:

Charges against Oliver Cowdery.

• "First—For persecuting the brethren by urging on vexatious law suits against them, and thus distressing the innocent.

"Second—For seeking to destroy the character of President Joseph Smith, Jun., by falsely insinuating that he was guilty of adultery."⁹

8. The action at Far West took place on the 5th of February; at Carter's Settlement, on the 6th; at Durphy's Settlement on the 7th; at Nahum Curtis' Settlement on the 8th; at Haun's Mills, on the 9th. (Documentary History of the Church, Vol. III, pp. 3-6).

9. The account of the hearing is to be found in the Far West High Council Record, *Ms.* pp. 123-130. During the hearing it was proven on the testimony of G. W. Harris that when Oliver Cowdery insinuated that the Prophet was guilty of adultery—when confronted by the Prophet and the question was directly put to him if Joseph had ever acknowledged that he was guilty of such a crime, Oliver answered—"No." Minutes of trial, Far West Record, pp. 123-130. Harris' testimony is published in the *Elders Journal* and sustained in the same article by the testimony of Thomas B. Marsh, and George M. Hinkle (*Elders Journal*, July, 1838, p. 45). Notwithstanding these positive denials by Cowdery, however, it was proven on the testimony of David W. Patten that he had made such insinuations.



DAVID HATCHER CHILDRESS

“Third—For treating the Church with contempt by not attending meetings.

“Fourth—For virtually denying the faith by declaring that he would not be governed by any ecclesiastical authority or revelations whatever, in his temporal affairs.

“Fifth—For selling his lands in Jackson county, contrary to the revelations.

“Sixth—For writing and sending an insulting letter to President Thomas B. Marsh, while the latter was on the High Council, attending to the duties of his office as President of the Council, and by insulting the High Council with the contents of said letter.

“Seventh—For leaving his calling to which God had appointed him by revelation, for the sake of filthy lucre, and turning to the practice of law.

“Eighth—For disgracing the Church by being connected in the bogus business, as common report says.¹⁰

“Ninth—For dishonestly retaining notes after they had been paid; and finally, for leaving and forsaking the cause of God, and returning to the beggarly elements of the world, and neglecting his high and holy calling, according to his profession.”

Due notice was served upon Oliver Cowdery of these charges by Bishop Partridge, but he declined to attend the council and announced his withdrawal from the Church in the following communication:

Cowdery's Letter to Bishop Partridge.

Far West, Missouri, April 12, 1838.

Dear Sir:—I received your note of the 9th inst., on the day of its date, containing a copy of nine charges preferred before yourself and Council against me, by Elder Seymour Brunson.

I could have wished that those charges might have been deferred until after my interview with President Smith; but as they are not, I must waive the anticipated pleasure with which I had flattered myself of an understanding on those points which are grounds of different opinions on some Church regulations, and others which personally interest myself.

The fifth charge reads as follows: “For selling his lands in Jackson county contrary to the revelations.” So much of this charge “for selling his lands in Jackson county,” I acknowledge

10. These “rumors” connecting Cowdery with “the bogus business” (i. e. dealing in counterfeit money) relate to Kirtland, Ohio, not to Missouri.

to be true, and believe that a large majority of this Church have already spent their judgment on that act, and pronounced it sufficient to warrant a disfellowship; and also that you have concurred in its correctness, consequently, have no good reason for supposing you would give any decision contrary.

Now, sir, the lands in our country are allodial in the strictest construction of that term, and have not the least shadow of feudal tenures attached to them, consequently, they may be disposed of by deeds of conveyance without the consent or even approbation of a superior.

The fourth charge is in the following words, "For virtually denying the faith by declaring that he would not be governed by any ecclesiastical authority nor revelation whatever in his temporal affairs."

With regard to this, I think I am warranted in saying, the judgment is also passed as on the matter of the fifth charge, consequently, I have no disposition to contend with the council; this charge covers simply the doctrine of the fifth, and if I were to be controlled by other than my own judgment, in a compulsory manner, in my temporal interests, of course, could not buy or sell without the consent of some real or supposed authority. Whether that clause contains the precise words, I am not certain—I think however they were these, "I will not be influenced, governed, or controlled, in my temporal interests by any ecclesiastical authority or pretended revelation whatever, contrary to my own judgment." Such being still my opinion shall only remark that the three great principles of English liberty, as laid down in the books, are "the right of personal security, the right of personal liberty, and the right of private property." My venerable ancestor was among the little band, who landed on the rocks of Plymouth in 1620—with him he brought those maxims, and a body of those laws which were the result and experience of many centuries, on the basis of which now stands our great and happy government; and they are so interwoven in my nature, have so long been inculcated into my mind by a liberal and intelligent ancestry that I am wholly unwilling to exchange them for anything less liberal, less benevolent, or less free.

The very principle of which I conceive to be couched in an attempt to set up a kind of petty government, controlled and dictated by ecclesiastical influence, in the midst of this national and state government. You will, no doubt, say this is not correct; but the bare notice of these charges, over which you assume a right to decide, is, in my opinion, a direct attempt to make the secular power subservient to Church direction—to the

correctness of which I cannot in conscience subscribe—I believe that the principle never did fail to produce anarchy and confusion.

This attempt to control me in my temporal interests, I conceive to be a disposition to take from me a portion of my constitutional privileges and inherent right—I only, respectfully, ask leave, therefore, to withdraw from a society assuming they have such right.

So far as relates to the other seven charges, I shall lay them carefully away, and take such a course with regard to them, as I may feel bound by my honor, to answer to my rising posterity.

I beg you, sir, to take no view of the foregoing remarks, other than my belief in the outward government of this Church. I do not charge you, or any other person who differs with me on these points, of not being sincere, but such difference does exist, which I sincerely regret.

With considerations of the highest respect, I am, your obedient servant,

(Signed.) OLIVER COWDERY.

Rev. Edward Partridge, Bishop of the Church of Latter-day Saints.

When the charges came up for hearing before the High Council on the 12th of April, the fourth and fifth charges were rejected by the council, and the 6th was withdrawn. It is against the fourth and fifth charges that Elder Cowdery leveled his whole reply, but as those charges were rejected by the council they constituted no issue at all between Elder Cowdery and the Church. As to the other charges it is to be regretted that Oliver did not attend the hearing before the council and either admit their truth, so far as they might be true, or specifically deny them. Under the circumstance of his refusing to be present the hearing was *ex parte*, and on that necessarily one sided presentation of evidence, the remaining charges were held to be proven, and he was excommunicated.

On the 13th of April a series of charges were preferred to the High Council of Far West against David Whitmer as follows:

“First—For not observing the Word of Wisdom.

“Second—For unchristian-like conduct in neglecting to attend meetings, in uniting with and possessing the same spirit as the dissenters.

“Third—In writing letters to the dissenters in Kirtland unfavorable to the cause, and to the character of Joseph Smith, Jun.

“Fourth—In neglecting the duties of his calling, and separating himself from the Church, while he had a name among us.

“Fifth—For signing himself President of the ‘Church of Christ’ in an insulting letter to the High Council after he had been cut off [rejected] from the Presidency.”

Due notice was served upon David Whitmer of these charges and the hearing before the High Council, but he declined to attend and withdrew from the fellowship of the Church in the following communication:

David Whitmer's Letter to the High Council.

Far West, Mo., April 13, 1838.

John Murdock:

Sir:—I received a line from you bearing date the 9th inst., requesting me as a High Priest to appear before the High Council and answer to five several charges on this day at 12 o'clock.

“You, sir, with a majority of this Church have decided that certain councils were legal by which it is said I have been deprived of my office as one of the presidents of this Church. I have thought, and still think, they were not agreeable to the revelations of God, which I believe; and by now attending this council, and answering to charges, as a High Priest, would be acknowledging the correctness and legality of those former assumed councils, which I shall not do.”¹¹

11. The Presidency of the Church in Missouri—a local presidency—David Whitmer, President, and John Whitmer and W. W. Phelps, counsellors, as will be seen by reference to preceding pages of this chapter, were deposed by a general assembly of the whole Church at Far West and the several other settlements in Upper Missouri; and this was strictly in accordance with the revelation to the Church; for as “No person is to be ordained to any office in this Church, where there is a regularly organized branch of the same, without the vote of that Church” (Doc. & Cov. Sec. 20: 65, also Kirtland Edition—1835—Part II, Sec. 2:16), so also is it to be concluded that no officer in the Church can continue to hold his place when the Church, or that branch thereof over which he presides, or in which he functions, rejects him. David Whitmer, as also John Whitmer and W. W. Phelps and some of their friends took exceptions to the manner in which they were deposed, insisting that they should have been tried before the Bishop of the Church, (Edward Partridge) assisted by a special council of twelve High Priests. In this, however, they misunderstood their own position in the Church, and also the purpose of the special council to which reference is here made. This special council, consisting of the Bishop of the Church and twelve High Priests, was instituted for the trial of a President of the High priesthood of the Church, who is also of the Presidency of the whole Church. (Doc. & Cov. Sec. 107: 91, 92). “And in as much as a President of the High Priesthood shall transgress, he shall

“Believing as I verily do, that you and the leaders of the councils have a determination to pursue your unlawful course at all hazards, and bring others to your standard in violation of the revelations, to spare you any further trouble I hereby withdraw from your fellowship and communion—choosing to seek a place among the meek and humble, where the revelations of heaven will be observed and the rights of men regarded.

(Signed.) “DAVID WHITMER.”

“After reading the above letter,” say the minutes of the High Council, “it was not considered necessary to investigate the case, as he [David Whitmer] had offered contempt to the council by writing the above letter; but it was decided to let the counselors speak upon the case, and pass decision. The counselors then made a few remarks in which they spoke warmly of the contempt offered in the above letter, therefore thought he [David Whitmer] was not worthy to be a member in the Church.” And to this effect was the decision of the Council.¹²

The loss of these two men,—Oliver Cowdery and David Whitmer—two of the Three especial Witnesses to the Book of Mormon—was a misfortune. I have dealt with their excommunication at length because I deem it important, and have published their letters to the Council *in extenso* that attention might be called to the fact that neither of them denies nor casts any doubt upon the facts in which Mormonism had its origin—the coming forth of the Book of Mormon and the ministration of angels to both Joseph Smith and themselves. Had there been fraud associated with these events; or had collusion existed between Joseph Smith and themselves with reference to events in which Mormonism had its inception, it would have been a very natural

be had in remembrance before the common council of the Church, who shall be assisted by twelve counselors of the High Priesthood; and their decision upon his head shall be an end of controversy concerning him.” (Doc. & Cov. Sec. 107; 81, 82). But the Presidency of the Church in Missouri was a local presidency, and hence they could not plead the right to be tried before this special council. Oliver Cowdery, who was one of the Presidents of the High Priesthood of the Church, and of the Presidency of the whole Church, was tried before Bishop Partridge, who used the High Council of Far West for the twelve high priests provided for in the revelation above quoted, to assist him, and in this respect his trial differed from the trial of David Whitmer who was tried before the High Council. See Documentary History of the Church, Vol. III, Chapter II.

12. Documentary History of the Church, Vol. III, pp. 18, 19 and foot notes. Also Far West High Council Record.

thing for men smarting under what they regarded as injustice, to have manifested that fact in these communications. Their silence at this critical time in their experience, and in the experience of the Church, constitutes very strong presumptive evidence of the reality, to them, of these facts which brought "Mormonism" into existence.

On the day of action against David Whitmer, charges were also presented to the High Council against Lyman E. Johnson, one of the Twelve Apostles. His offenses were encouraging litigation among the brethren and bringing distress upon the innocent; being untied with the Kirtland dissenters and advocating their cause; absenting himself from the meetings of the Church; not observing either prayer or the Word of Wisdom; assaulting a brother--Phineas Young, brother of Brigham Young's; discrediting the officers of Caldwell county--the 'Mormon' county; for falsehood and other unrighteous conduct. He declined to appear before the High Council, and by letter withdrew from fellowship of the Church. The council, however, as in the case of Oliver Cowdery, proceeded to hear the case *ex parte*. The charges by that testimony were sustained, and Lyman E. Johnson was dropped from the quorum of the Twelve, and excommunicated from the Church.

These troubles at Far West grew out of the unhappy conditions that had existed in Kirtland for some time. Oliver Cowdery had been in transgression at Kirtland, as publicly announced by the prophet;¹³ both he and David Whitmer, while in Kirtland, had been in sympathy with the dissenters, which sympathy continued after their return to Missouri. Besides these leaders there were many others in Upper Missouri who were disaffected, some for one cause and some for another. Many had made sacrifices for the sake of the Church in Kirtland, loaning money to the Presidency for the erection of the temple, and for the establishment of the various industries and mercantile establishments started at that place. Some of these persistently demanded a re-embursement, and because that was impossible on the part of the Presidency, under conditions then existing, they became disaffected, and charged that to dishonesty which

13. See Ante, ch. XXVI, foot note.

ought to have been assigned to a common misfortune in which the whole Church was involved.¹⁴ Vexatious law-suits were instituted among the Saints, and systematic efforts made, apparently, to undermine and destroy the influence of the Presidency of the Church. Naturally these conditions called for protest on the part of the Presidency, and under date of Sunday, May the 6th, the Prophet writes in his journal—speaking of a discourse he that day delivered:

“I cautioned the Saints against men who came amongst them whining and growling about their money, because they had kept the Saints, and borne some of the burden with others, and thus thinking that others, who are still poorer than themselves, and have borne greater burdens ought to make up their losses. I cautioned the Saints to beware of such, for they were throwing out insinuations here and there, to level a dart at the best interests of the Church, and if possible destroy the character of its Presidency.”¹⁵

Sometime in June Elder Sidney Rigdon delivered what was afterwards called his “Salt Sermon,” because he took as a text:

“ye are the salt of the earth: but if the salt have lost his savor, wherewith, shall it be salted? It is thenceforth good for nothing, but to be cast out, and to be trodden under foot of men.”¹⁶

The doctrine of the text the speaker applied to the dissenting brethren and intimated that the “trodden underfoot of men” should be literal, much to the scandalizing of the Church, since the dissenters made capital of it to prejudice the minds of the non-Mormons of the surrounding counties.¹⁷ This, unfortunately, was followed shortly afterwards by a communication drawn up by Elder Rigdon, it is said, and addressed to the leading dissenters, Oliver Cowdery, David Whitmer, John Whitmer, William W. Phelps and Lyman E. Johnson, commanding them to leave Caldwell county within three days, under penalty of a

14. See Corill's "Brief History of the Church of the Latter-day Saints." (1839) p. 30.

15. Documentary History of the Church, Vol. III, p. 27.

16. Matt. V: 13.

17. See Brochure on Sidney Rigdon by Jedediah M. Grant, p. 11. Also Brief History of the Church—Corill—p. 30.

“more fatal calamity” befalling them if they refused to depart. The document was signed by eighty-four men, more or less prominent in the Church,¹⁸ but neither the Prophet’s nor Sidney Rigdon’s name is included among the signatures. This action was undoubtedly a departure from that strict adherence to legal procedure for which the Church must stand or else accept the doctrine of the “old settlers” of Jackson county that there exists with the community, outside of legal procedure, the right to expel undesirable people from that community. These dissenters were undoubtedly a disturbing element; they both instituted and encouraged litigation among the people, which the unsettled state of affairs in a new country, and the brought-over troubles from Kirtland made not only possible but easy. They no doubt were insolent and defiant of local disapproval of their course—which ordinarily is sufficient to correct such evils—because it was easy to appeal to the prejudice and jealousies of the “old settlers” in the surrounding counties, and to menace the Saints with mobs in the event of any attempt to interfere with them—the dissenters. These dissenters, or some of them, were accused of crimes, with stealing, with being associated with counterfeiters and black legs, with violating the postal laws by interfering with the mail. All which, even for the dissenters to be suspected of, was injurious to the reputation of the Saints, and discreditable to the Church of which they had been members. But if these accusations were true, they constituted crimes which lay open to the law, and should have been punished by the law. Those eighty-four citizens of Caldwell county were not justified in taking the law into their own hands and under threats of vengeance driving these dissenters from Far West, for that was the effect of these treats. The dissenters took hasty departure, late one afternoon in June, leaving their families to follow them, which they afterwards did.¹⁹

The celebration of the 4th of July this year at Far West was made a notable event. That day the corner stones of a temple

18. The document is published at length in Documents, Correspondence, Orders, etc., in Relation to the Disturbances with the Mormons, Published by Order of the Missouri Legislature, p. 103 *et seq.* Also in part in “The Return,” (Ebenezer Robinson) pp. 146, 147.

19. *The Return* (Robinson) p. 147.

were laid amid elaborate ceremonies. The excavation made for the building was a hundred and ten feet long, by eighty feet wide. It was to have three floors, the first to be devoted to the purpose of public worship, the other two to educational purposes. It was meant therefore to be both a house of worship and an institution of learning. There was a band of music, a long procession in which both militia and Church authorities took part; also the ladies. But more important than parade or even laying the corner stones of the temple was what was afterwards called the "Mormon Declaration of Independence." The Prophet himself so characterizes it. "The day was spent," he writes, "in celebrating the 'Declaration of Independence of the United States of America,' and also by the Saints making a 'Declaration of Independence' from all mobs and persecutions which have been inflicted upon them, time after time, until they could bear it no longer."²⁰ Sidney Rigdon was the orator of the day, and the aforesaid "declaration," was embodied in his speech. The speech on the whole is very admirable, and worthy. The key note of it, the motif that recurs here and there, leading to what must be regarded as its unfortunate climax, is the text on which the speech was built—

"Better, far better to sleep with the dead, than be oppressed among the living."

The speech expresses admiration for the free institutions of our government, and urges their maintenance; it extols religious freedom, and declares that all "attempts on the part of religious aspirants, to unite Church and state, ought to be repelled with indignation"; it reviews the establishment of the Church of Christ in the New Dispensation, its development, the nature of the religion being unfolded therein, with intelligence as a motive force, to develop which this temple, the corner stones of which were being laid, was to be built; note is taken of what suffering has been endured for the sake of this cause—from foes without and from foes within; for it the Saints have taken the spoiling of their goods; their cheeks have been given to the smiters and their heads to those who plucked off the hair; when smitten on one cheek, they have turned the other, and this repeatedly, until

20. Documentary History of the Church, Vol. III, p. 41.

they are wearied of being smitten, and tired of being trampled upon; they had proved the world with kindness; they had suffered their abuse—abuse without cause—with patience, without resentment, until this day, and still persecution and violence do not cease:—

“But from this day and this hour we will suffer it no more. We take God and all the holy angels to witness, this day, that we warn all men, in the name of Jesus Christ to come on us no more for ever, for from this hour we will bear it no more; our rights shall no more be trampled on with impunity; the man, or the set of men who attempt it, do it at the expense of their lives. And that mob that comes on us to disturb us, it shall be between us and them a war of extermination; for we will follow them until the last drop of their blood is spilled, or else they will have to exterminate us, for we will carry the seat of war to their own houses and their own families, and one party or the other shall be utterly destroyed. Remember it then, all men. We will never be the aggressors, we will infringe on the rights of no people, but shall stand for our own until death. We claim our own rights and are willing that all others shall enjoy theirs. No man shall be at liberty to come into our streets, to threaten us with mobs, for if he does he shall atone for it before he leaves the place, neither shall he be at liberty to villify and slander any of us, for suffer it we will not, in this place. We therefore take all men to record this day, that we proclaim our liberty this day, as did our fathers, and we pledge this day to one another our fortunes, our lives, and our sacred honors, to be delivered from the persecutions, which we have had to endure for the last nine years or nearly that time. Neither will we indulge any man, or set of men, in instituting vexatious law suits against us, to cheat us out of our rights; if they attempt it we say woe be unto them. We this day, then, proclaim ourselves free with a purpose and determination that never can be broken, *no, never! No, never! No, never!*”

This declaration was followed by the multitude present uniting in the shout of “Hosannah, hosannah, hosannah! Amen, Amen, Amen!” Thrice repeated.

Under all the circumstances, remembrance of past wrongs endured in Jackson county, and then to be threatened with mob violence by dissenters and some “old settlers,” and to see movements on foot to arm again the red hand of a relentless persecu-

tion—it is not to be wondered at that these mortal men, though aspiring to be Saints, should make such a declaration of independence from mob rule, and threaten vengeance upon those who should again assail them. Moreover, it must be remembered that the Saints in their difficulties in Jackson county were much embarrassed in their defense of their homes and families by a divided opinion among them as to how far they might justly proceed in resisting the assaults of their enemies;²¹ and in the presence of the likelihood of a recurrence of mob violence, it certainly was desirable to have that question definitely settled. And what ever of error may be thought to have been made by issuing this declaration, it should be remembered that it remained merely a declaration—an outburst of indignation when laboring under a sense of outraged justice. It was never translated into deeds: no war of extermination was attempted, though the contingency upon which such threat was made arose again and again within the experience of the Saints during the next few months.

The historian more than three score and ten years after these occurrences, and in the calm of his study where he dispassionately weighs the deeds of men and passes judgment upon historical events, may find it easy to say that the out giving of this “declaration of independence from mobs” by the Saints, and proclaiming a war of extermination in the event of their being again assailed, was of doubtful propriety, even under all the existing provocations—unwise; impolitic; but it was a very human-like thing to do, albeit more likely to bring about than avert a conflict with the Missourians. Subsequent events proved this to be the effect of it; and certainly the speedy expulsion of the entire body of the Church from Missouri, under such circumstances of cruelty and suffering, affords no ground for belief that there was any divine vindication of the attitude assumed by the Saints on that fourth of July day.

One other thing the candor and truth of history requires here, *viz.* the fixing of responsibility for this “Declaration.” The unwisdom of the utterance has been quite generally recognized by our writers, and by them responsibility for it has been placed

21. See Ante Chapter XXIV.

upon the rather fervid imagination of Sidney Rigdon, who delivered the speech,²² and who quite generally is supposed to have been mainly or wholly responsible for it. This is not true. The speech was carefully prepared, written before delivery in fact, and doubtless read by other presiding Elders of the Church.²³ It immediately appeared in *The Far West*, a weekly newspapers published at Liberty, Clay county; and was also published in pamphlet form by Ebenezer Robinson on the press of the *Elder's Journal*. Joseph Smith in his journal speaks of it approvingly;²⁴ and in the *Elder's Journal*, of which he was the editor, and in the editorial columns under his name, the speech is approvingly recommended to the Saints.²⁵ In view of these facts, if the "declaration" was of doubtful propriety, and unwise and impolitic, responsibility for it rests not alone on Sidney Rigdon, but upon the authorities of the Church who approved it, and the people who accepted it by their acclamation.

Other events worthy of note occurring about this time were the restoration of Frederick G. Williams to the Church, the establishment of the law of Tithing, filling the vacancies in the quorum of the Twelve, and appointing the quorum as a body to go to England in the following spring, to preach the gospel and bear record of the Christ in that land.

Elder Williams had been rejected as a Counsellor in the First Presidency at a conference in Missouri held on the 7th of November, 1837, and Hyrum Smith, brother of the Prophet, had been chosen in his place. He now sought restoration to complete fellowship with the Saints, and accordingly was rebaptized, ordained an Elder, and commanded to go from place to place and preach the Gospel. A like opportunity was given to W. W. Phelps, but he did not at that time avail himself of it.²⁶

The law of Tithing was given by revelation on the eighth of

22. See Brochure by Jedidiah M. Grant, *Sidney Rigdon*, Part II, p. 11. *Missouri Persecutions* ch. XXII. (This author is in error in saying that the Prophet afterwards corrected the speech as delivered by Rigdon). *Historical Record* p. 693. *One Hundred Years of Mormonism*, pp. 224, 225.

23. Testimony of Ebenezer Robinson, *The Return*, (1889), pp. 170-171.

24. Documentary History of the Church, Vol. III, pp. 41, 42.

25. *Elders Journal*, August, 1838, p. 54.

26. Documentary History of the Church, Vol. III, pp. 46—foot note, and p. 55. A portrait of Frederick G. Williams is published in this chapter, and a biographical note will be found in *Americana* for March, 1910, p. 268.

July in answer to the question: "O, Lord, show unto they Servants how much thou requirest of the properties of the people for a tithing." The answer was, "All their surplus property to be put into the hands of the bishop of my Church of Zion [Missouri]; for the building of mine house [the Temple at Far West], and for the laying of the foundation of Zion, and for the Priesthood, and for the debts of the Presidency of my Church."

This was to be the beginning of the tithing of the people. After that, those who had thus been tithed, were required to pay one-tenth of all their interests annually; "and this shall be a standing law unto them for ever, for my holy Priesthood, saith the Lord." The law was applicable also to all who should there after gather to the land of Zion. "And I say unto you," continues the revelation, "if my people observe not this law, to keep it holy, and by this law sanctify the land of Zion unto me, that my statutes and my judgments may be kept thereon, that it may be most holy, behold, verily I say unto you, it shall not be a land of Zion unto you. And this shall be an example unto all the stakes of Zion. Even so. Amen."²⁷

Ten days later, by another revelation, the custodianship and disposition of the Church revenues to arise from this law were lodged in a council composed of the First Presidency of the Church, the Bishop of the Church and his council [i. e. the presiding Bishopric] and by my High Council [doubtless the traveling High Council, the Twelve Apostles], and by mine own voice unto them, saith the Lord."²⁸

Thus the revenue law of the Church was established. It is but a modification of the law of consecration and stewardship, first given to the Church.²⁹ In the first law consecration was to be made of all that was possessed, with subsequent consecrations from time to time of the surplus arising from the management of the stewardship received after consecration, or that resulted from the member's industry in gainful pursuits. In the law now given there was to be first, a consecration of the surplus pos-

27. Doctrine & Covenants, Sec. 119.

28. Doc. & Cov., Sec. 120.

29. *Ante* this Article, Americana March, 1910, pp. 282-4. Also New Witness for God, Vol. I, ch. XXVI.

sessed³⁰—not all; and afterwards a payment of one-tenth of a member's interests annually, instead of a consecration from time to time of all the surplus arising from his business or industry.

The men chosen to fill the vacancies in the quorum of the Twelve, vacancies occasioned by the falling away of John Boyington, Luke S. Johnson, Lyman E. Johnson, and Wm. E. McLellin, were John Taylor, John E. Page, Wilford Woodruff and Willard Richards. "And next spring," said the revelation, making these appointments, "let them"—referring to the whole quorum—"let them depart to go over the great waters, and there promulgated my Gospel, the fullness thereof, and bear record of my name. Let them take leave of my Saints in the city of Far West on the 26th day of April next, on the building spot of my house, saith the Lord."

In view of the events which intervened between the time of this revelation was received and the time set for the Twelve's departure for England, the boast of the mob that here was one of "Joe Smith's revelations at least that should fail of fulfillment;" and the equally great determination on the part of the Twelve that it should not fail, makes the revelation of special interest, but the account of its fulfillment belongs to a future chapter.

CHAPTER XXIX

ARMED HOSTILITIES IN CALDWELL AND SURROUNDING COUNTIES— "DISMOUNTING" OF GEN. DAVIS R. ATCHISON

Active hostilities between the Saints and the Missourians, which ultimately resulted in the expulsion of the former from Missouri, broke out at an election held at Gallatin in Daviess county on the 6th of August. W. P. Peniston, candidate for representative to the state legislature from Daviess county, had been for some time bitterly opposed to the Saints. He was active in the agitation which caused their removal from Clay county, and fearing that they would not support him in the election,

30. The part of the law requiring a consecration of the surplus as the beginning of the tithing of the members, has been quite generally neglected by the Church.

planned to prevent them from voting at all in Daviess county. This plan was made known to the brethren some two weeks before election by Judge Morin, who lived at Millport, near Gallitan. He advised the brethren to go to the polls prepared for an attack, to stand their ground, and maintain their rights. No heed was paid to the warning of the Judge, however, and the Mormons went to the polls unarmed. Peniston was at the polls and harangued the voters against the Mormons. He accused the leaders with being rascals, and the rank and file he denounced as dupes, and thieves. He declared that if the Mormons were allowed to vote the "old settlers" would soon lose their suffrage. In the midst of this abuse a local bully assaulted Samuel Brown, one of the brethren. It is admitted by Missouri's historical writers that the "old settlers" undertook to prevent the Mormons from voting; that they "began the row;" that the blow which began the hostilities was "uncalled for."¹

Following the assault upon Brown the fight soon became general and a number on both sides were bruised and otherwise injured, though none were killed on either side. The "old settlers" were the first to withdraw to arouse their sympathizers and to arm themselves. Meantime the Mormons had become determined to maintain their rights and a renewal of the conflict seemed inevitable. Under these circumstances the county authorities in charge of the election came to the brethren and pleaded with them to withdraw, saying that the riot was a premeditated thing to prevent the Mormons from voting. The brethren being unarmed withdrew to their farms, collected their families, concealed them in the hazel thickets and stood guard over them through the night.

The following day an exaggerated report of this Gallatin affair reached Far West, such as that several of the brethren had been killed and the mob refused to allow them to be buried, and

1. Following the admission the historian continues: "A man by the name of Richard Weldon commenced to abuse a Mormon preacher and finally knocked him down. The blow was uncalled for, but it seems there were a few rough characters in favor of a fight and they got it." (History of Daviess county, Bird-sall & Dean, Kansas City, Publishers (1882), p. 203. Again, "At the August election, 1838, a riot occurred at Gallatin between the Mormons and Gentiles. The latter would not allow the Mormons to vote, and it is admitted were the aggressors." (History of Caldwell and Livingston counties, National Historical Company Publishers (1886), p. 126.

were determined to drive all the Mormons from Daviess county. These reports occasioned great excitement in Far West; and as soon as men could get ready they rode off in small squads to learn the extent of the outbreak against their brethren. Joseph Smith went with one of these companies, but the general command of the expedition was given to G. W. Robinson. How many left Far West on this errand is not known. They have been variously estimated from one to two hundred.² They rendezvoused at "Di-Ahman" at the residence of Lyman Wight, and here met with some who had been at the disturbance at Gallatin, from whom they learned the truth, concerning the riot of the previous day. The next day was spent by Joseph Smith and others of the company from Far West in visiting "old settlers" in the vicinity of "Di-Ahman" to learn their dispositions towards their Mormon neighbors. Among others called upon was one Adam Black, a justice of the peace, and now Judge-elect for Daviess county. Under these circumstances it was especially desirable to know this man's intentions, particularly as rumor had connected him with the mob element. He declared his intention to administer the law fairly, and consented to give a statement in writing to this effect, and also denying any connection with the mob. As the document is unique both in autography and composition it is given in full as prepared and signed by the judge-elect:

"I, Adam Black, a justice of the Peace of Daviess county do hereby Sertify to the people, coled Mormin, that he is bound to support the Constitution of this State and of the United States and he is not attached to any mob, nor will he attach himself to any such people, and so long as they will not molest me, I will not molest them. This the 8th day of August, 1838.

ADAM BLACK, J. P.

The same day a meeting was arranged for the 9th between some of the citizens of Millport, adjacent to Gallatin, and the leaders of the company from Far West. Among the former who met with the brethren from Far West were Joseph Morin, state

2. The History of Daviess county, Birdsall & Dean Co., (1882) give the number two hundred, p. 204; Linn one hundred and fifty, and assigns the command to "Dr. Avard" ("Story of the Mormons," p. 198).

senator elect; John Williams, representative elect; James B. Turner, clerk of the circuit court and others. The substance of the agreement entered into by these parties, as stated by Joseph Smith, is as follows:

“At this meeting both parties entered into a covenant of peace to preserve each other’s rights, and stand in each other’s defense; that if men did wrong, neither party would uphold them or endeavor to screen them from justice, but deliver up all offenders to be dealt with according to law and justice.”

On the 10th of August, however, W. P. Peniston, Wm. Bowman, Wilson McKenny and John Netherton appeared before Judge Austin A. King, of the fifth judicial circuit and made affidavit that they had good reason to believe, and did believe that there was collected in Daviess county a body of five hundred armed men whose movements were of a highly insurrectionary and unlawful character, that about one hundred and twenty of aforesaid insurrectionaries had committed violence against Adam Black by surrounding his house, and taking him in a violent manner and subjecting him to great indignities, by forcing him under threats of immediate death to sign a paper writing of a very disgraceful character, and by threatening to do the same to all the “old settlers” and citizens of Daviess county; that said armed body had threatened to put to instant death Wm. P. Peniston, one of the affiants, and he verily believed they would do it without they should be prevented; like threats were made against Wm. Bowman, another of the affiants. Joseph Smith, Jun., and Lyman Wight were declared to be the leaders of this body of armed men whose object it is “to take vengeance for some injuries, or imaginary injuries, done to some of their friends, and to drive from the county all the old citizens, and possess themselves of their lands, or to force such as do not leave, to come into their measures and submit to their dictation.”³

In the latter part of the month of August, Adam Black confirmed in an affidavit much of what was sworn to by Peniston,

3. The document *in extenso* is published in Documentary History of the Church, Vol. III, p. 61.

especially that he had been threatened "with instant death" if he did not sign a writing binding himself as a justice of the peace "not to molest the people called Mormons."⁴

On the affidavit of Peniston *et al* warrants were issued against Joseph Smith and Lyman Wight for being engaged in this alleged insurrectionary movement. It was reported that they would not submit to service of the warrants, nor to the law, and much was made of this report in the surrounding counties. When the sheriff of Daviess county notified Joseph Smith that he had a writ to take him to Daviess county and reference was made to these reports, the Prophet informed the sheriff that he intended always to submit to the laws of the country but he wished to be tried in his own county, as the citizens of Daviess county were highly exasperated at him, and that the laws of the country granted him this privilege. Hearing this the sheriff declined serving the warrant until he could consult with Judge King, at Richmond, in Ray county. The Prophet agreed to remain at home until his return. On returning the sheriff stated that he had no jurisdiction in Caldwell county and retired.

This action on the part of the Prophet was construed and reported to be resistance to an officer of the law, and used to further inflame the country. Finally, acting under the counsel of his legal advisers, *Messrs.* David R. Atchison and A. W. Doniphan, Joseph Smith and Lyman Wight volunteered to be tried by Judge King in Daviess county, and much to their surprise they were bound over in five hundred dollar bonds to appear before the circuit court for trial.

Meantime all manner of exaggerated reports of these matters were circulated throughout all the counties of Upper Missouri, mingled with down right misrepresentations as to the intentions and alleged warlike preparations of the Mormons to drive the "old settlers" from their homes; and doubtless the rumors of mob preparations in surrounding counties—such as that men were collecting from "eleven counties" to take into custody Joseph Smith and Lyman Wight for their part in the expedition

4. Complete affidavit in Documentary History of the Church, Vol. III, pp. 64, 65.

into Daviess county⁵—were equally exaggerated and untrue. But it was true that great excitement had been created against the Saints throughout the counties of Upper Missouri, that amounted to an “uproar.” And because of these misrepresentations the Mormons were both feared and hated, save perhaps in Clay county, where they were best known and had a few staunch friends among some of the strongest men in Western Missouri. “Ray county Gentiles,” says one historian, after noting the absence of ill-feeling in Clay county—“Ray county Gentiles hated them; Carroll county Gentiles detested them; and Davies county Gentiles vowed hostilities against them.”⁶

No attempt is made in this general history to detail all the movements of mob and militia forces and the counter movements on the Mormon side; only those actions necessary to a true understanding, of the outcome are detailed.

Following the Adam Black affair various representations were made to Governor Boggs from citizens and some officers of Chariton, Carroll, Daviess and Livingston counties, representing, in the main, that the Mormons were in insurrection, refused to submit to law, had formed alliances with the Indians on the western frontier, and were preparing to make war upon the Missourians in the fall. And thence from time to time, as the conflict developed, petitions, affidavits, appeals and official reports flooded the chief executive of the state, generally to the disparagement of the Saints, for seldom could the latter reach the Governor’s ear. Indeed in all the collection of affidavits, appeals and petitions published under the authority of the Missouri legislature, there is but one brief petition from “Certain Mormons to the Governor.” The petition was signed by fifty of the Saints at DeWitt, and recites the threats made against them by the mob, and appeals for executive protection.⁷

5. “They (the old settlers) are collecting from every part of the country, to Daviess county. Report says that they are collecting from eleven counties, to help take two men who had never resisted the law or officer, nor had they thought of doing so, and this their enemies knew at the same time, or many of them at least knew it. This looks a little too much like mobocracy, it foretells some evil intentions. The whole of Upper Missouri is in an uproar and confusion.” (Joseph Smith, *Documentary History of the Church*, Vol. III, p. 69).

6. *History of Caldwell and Livingston counties*, National Historical Company, St. Louis (1886) p. 124.

7. Documents Published by order of the General Assembly of Missouri, pp. 29-30.

The first official act of a series which resulted in bringing against the people of Far West a body of more than 6,000 state troops, and expelling over twelve thousand people, men, women and children from the state, under threats of extermination—was an order of the executive through B. M. Lisle, Adjutant General of the militia, to Gen. David R. Atchison and six other Major Generals, to raise within their respective districts and hold in readiness for further orders, four hundred mounted men, armed and equipped as infantry or riflemen and formed into companies under officers already in commission. This made ready a body of soldiery 2,800 strong.

“Indications of Indian disturbances on Missouri’s immediate frontier, and the recent civil disturbances in the counties of Caldwell, Daviess and Carroll,” are said to render the order necessary as a precautionary measure.⁸ This order is dated the 30th of August.

The whole country was in a state of great excitement and squads of armed men were moving about making threats against the Saints. The latter were at great disadvantage by reason of being widely scattered over a very large area of country; in this thing having neglected to follow the advise of the Prophet to form compact settlements and live in them where now, among other advantages of such a policy, already considered,⁹ they would have had better opportunities for self-defense.¹⁰

The brethren from Far West, were active in going from point

8. Documents Published by Order of the General Assembly of Missouri, p. 20.

9. Ante, chapter XXII.

10. Throughout the summer of 1838, the Prophet sought to rectify this error by inducing all the people he could influence to form settlements, “as the law of the law required.” (See Documentary History of the Church, Vol. III, pp. 55, 62, 66, 67, 68.) As an adjunct to this system of colonization the Prophet organized his people into large Agricultural companies, designed to carry on their agriculture pursuits by co-operative methods. The largeness of his plans will appear in the following from his journal:

“August 20—The inhabitants of the different parts of the county met to organize themselves into Agricultural Companies. I was present and took part in their deliberations. One company was formed, called the “Western Agricultural Company,” which voted to enclose *one field for grain containing twelve sections, seven thousand six hundred and eighty acres of land.* Another company was also organized, called the “Eastern Agricultural Company,” the extent of the field not decided.

Tuesday 21—Another company was formed, called the “Southern Agricultural Company,” the field to be as large as the first mentioned.” (Documentary History of the Church, Vol. III, pp. 63, 64.)

to point, under the direction of the civil authorities of Caldwell county, where ever there was a threatened attack upon their people. Hearing that a wagon load of arms and ammunition was en route from Richmond to the mob infesting the vicinity of Diahman, Captain Wm. Allred took a company of ten mounted men and started to intercept the transport. They found the wagon broken down, and the boxes of guns concealed near the roadside in the tall grass; but no one was in sight. Shortly after this party had discovered the arms, they saw moving over the prairie, from the direction of the mob's camp, two horsemen and behind them a third man driving a team. These parties came up to the broken down wagon and were arrested by Captain Allred, by virtue of a writ he held for them issued by the civil authorities of Caldwell county. The prisoners and the guns were taken to Far West, and after an examination before Albert Petty, justice of the peace, they were held to bail for their appearance at the next term of the circuit court. The names of these parties were, J. B. Comer, held as principle, and Wm. L. McHoney and Allen Miller as being in the employ of Comer, engaged in furnishing a mob with arms for an illegal purpose.

Judge King was immediately informed of the arrest of these men, and his advice was asked as to what disposal should be made of the prisoners. He replied that the prisoners must be turned loose and treated kindly. He had no advice to give about the guns, and was at a loss to know how to account for them being in the possession of Comer, as they belonged to government, and had been in the custody of Captain Pollard, living in the vicinity of Richmond. The guns were distributed among the brethren to be used in self-defense. A few days afterwards the prisoners were delivered up to Gen. A. W. Doniphan; and forty-two stands of the firearms were also collected and delivered to him.

The mob took a number of the brethren prisoners, and sent word to Far West and other settlements that they were torturing them in the most inhuman manner, by this means, doubtless, seeking to provoke retaliation.

Meantime the militia Governor Boggs had ordered to be held in readiness, was mustered into service. Under the direction of

Gen. Doniphan six companies of fifty men each were collected and armed from the militia of Clay county, and at once marched into the vicinity of Diahman. Here Doniphan found the citizens of Daviess and surrounding counties to the number of two or three hundred under arms, and commanded by Dr. Austin, from Carroll county. They claimed to have collected solely for the purpose of defending the people of Daviess county against the "Mormons." Doniphan read to them the order of his superior officer, General Atchison, to disperse, but this they refused to do.

"I had an interview" said Doniphan, "with Dr. Austin, and his professions were all pacific. But they [Austin's men] still continued under arms, marching and counter marching." The general also visited the encampment of the brethren under the command of Colonel Lyman Wight. Doniphan's report says: "We held a conference with him, and he professed entire willingness to disband, and surrender up to me every one of the 'Mormons' accused of crime; and required in return that the hostile forces collected by the other citizens of the county, should also disband."¹¹ As the mob refused to obey the order to disband, the safety of the brethren and their families required that men under Wight should continue under arms. General Doniphan took up a position between the two opposing forces, hoping that if the parties were kept apart, in a few days they would disband without coercion.

In the course of two or three days General Atchison arrived with a body of militia from Ray county. He at once ordered the citizens from the surrounding counties to repair to their respective homes, a movement they began to make with many signs of reluctance. Only about one hundred of them obeyed the order. Atchison reported to Governor Boggs, that he had received assurance from the "Mormons" that all those accused of a violation of the laws would be in for trial the very day on which his report was dated—the 17th of September. "And," says the report, "when that is done, the troops under my com-

11. Doniphan's Report to Atchison—Documents Published by Order of the General Assembly of Missouri, pp. 24-25.

mand will be no longer required in this county, if the people of the other counties will retire to their respective homes."

A day or two after this report, Atchison succeeded in disbanding the mob forces; and the brethren against whom charges were made appeared before a court of inquiry and entered into bonds to appear at the next session of the circuit court. This much having been accomplished, Atchison thought it no longer needful to keep his whole force of militia in the field, hence he dismissed all his forces except two companies, which were left in the vicinity, under the command of Brigadier-General H. G. Parks. In reporting these latter movements to the governor, Atchison says in conclusion:

The "Mormons" of Daviess county, as I stated in a former report, were encamped in a town called Adam-ondi-Ahman, and they are headed by Lyman Wight, a bold, brave, skillful, and I may add, a desperate man; they appear to be acting on the defensive, and, I must further add, gave up the offenders with a good deal of promptness. The arms taken by the "Mormons" and the prisoners were also given up on demand with seeming cheerfulness.¹²

The forces which had been called out by order of General Atchison were disbanded, except the two companies that were left under the command of General Parks. Parks and these men remained in the vicinity of Diahman, watching both "Mormon" and Gentiles, assisting in serving civil process, and reporting occasionally to his superior officers. As these reports come from a source that is other than a "Mormon" one, he is a witness to the uprightness of the acts of the "Mormon" people at that time of considerable importance; and this must be our justification for inserting several extracts from his official reports. In a report which Parks made to Governor Boggs, on the 25th of September, occurs the following:

Whatever may have been the disposition of the people called "Mormons" before our arrival here, since we have made our appearance, they have shown no disposition to resist the law or of hostile intentions. * * * There has been so much prejudice and exaggeration concerned in this matter, that I found

12. Atchison's Report to Governor Boggs. Documents, etc., p. 28.

things entirely different from what I was prepared to expect. It is true that a great excitement did prevail between the parties, and I am happy to say that my exertions, as well as those of Major General Atchison, and the officers and men under my command, have been crowned with success. When we arrived here, we found a large body of men from the counties adjoining, armed and in the field, for the purpose, as I learned, of assisting the people of this county against the "Mormons," without being called out by the proper authorities.¹³

In the meantime, a committee of "old citizens" had agreed to meet with a committee appointed by the Saints in Daviess county, for the purpose of making arrangements for either buying the property of the Saints, or of selling theirs to the brethren. Speaking of this committee in a postscript to the above report, Parks says:

"I received information that if the committee do not agree, the determination of the Daviess county men is to drive the 'Mormons' with powder and lead."¹⁴

The committee met and the brethren entered into an agreement to purchase all the lands and possessions of those who desired to sell and leave Daviess county. Messengers immediately carried the news of the agreement to the Prophet at Far West, and he approved of the action and immediately appointed messengers to the Churches east and south to raise the means to fulfill the contract.¹⁵ But continued conflicts on every hand prevented its consummation.

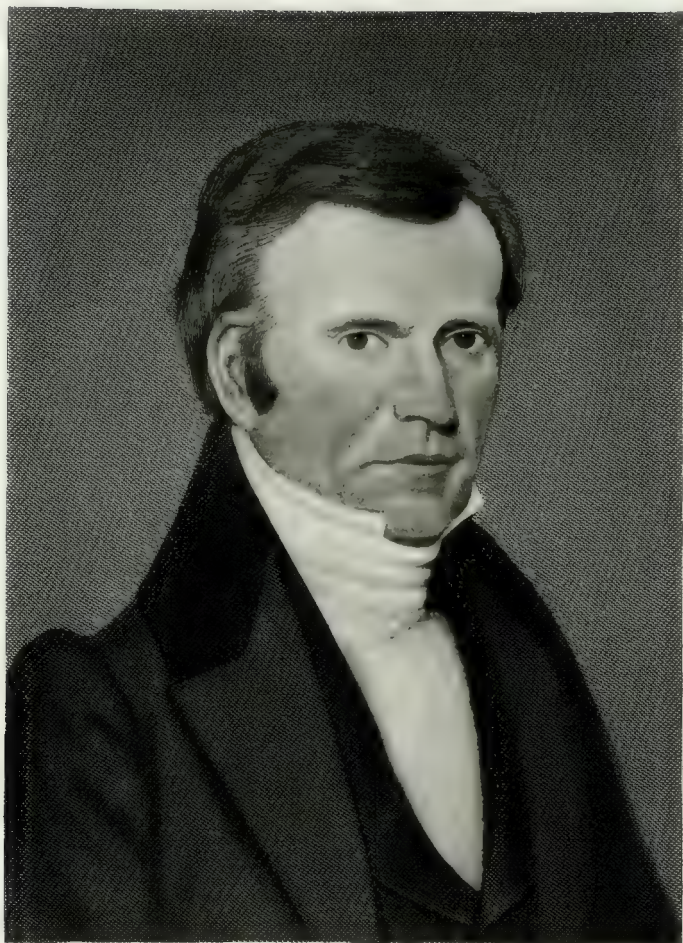
Two days later than the date of Parks report last quoted, General Atchison wrote to the governor, saying:

"The force under General Parks is deemed sufficient to execute the laws and keep the peace in Daviess county. Things are not so bad in that county as represented by rumor, and in fact from affidavits. I have no doubt your excellency has been deceived by the exaggerated statements of designing or half crazy men. I have found there is no cause of alarm on account of the "Mormons;" they are not to be feared; they are very much alarmed."

13. Gen. H. G. Parks to the Governor, Documents, etc., p. 32.

14. Ibid, p. 33.

15. Documentary History of the Church, Vol. III, p. 84.



FREDERICK DOUGLASS

These statements, accompanied by the former statements of Atchison and Doniphan, which said the "Mormons" were only acting on the defensive, and had surrendered the arms they had taken from the mob together with the prisoners with promptness, prove that the Saints in collecting and arming were merely acting in self-defense, and not with any desire to outrage the laws or injure the Missourians.

The mob forces thwarted for the present in their designs on "Di-Ahman," moved next upon DeWitt, in Carroll county, with the express purpose of expelling the Mormons from that place. No charge at all of unlawful conduct is made against the Saints in DeWitt. The utmost that was said against them by the mob to the committee of citizens from Chariton county—who went to DeWitt to inquire into the trouble there—was, that they were unwilling for the Mormons to remain at DeWitt "which was the cause of them waging war against them—they were waging a war of extermination, or to remove them from said county."

"We also went into DeWitt," says the committee's report. "We found them [the Mormons] in the act of defense, begging for peace, and wishing for the civil authorities to repair there and as early as possible settle the difficulties between the parties. Hostilities have commenced, and will continue until they are stopped by the civil authorities."

This report of the Chariton county committee was transmitted to the Governor with General Atchison's report to him of October the 5th.¹⁶ General Atchison ordered Gen. Parks to disperse the mob about DeWitt, but that officer reported his command as partaking "in a great degree of the mob spirit, so that no reliance can be placed on it;"¹⁷ and while Gen. Atchison disagreed with this view it prevented Gen. Parks from venturing upon any decisive measures against the mob, or giving relief to the Saints of DeWitt.

The Prophet, learning of the distress of the Saints at DeWitt, made his way to them. He found the Saints in sore straits, their food supplies exhausted, and a constantly increasing mob surrounding them. A number of non-mormon citizens of De-

16. Atchinson's Report to Governor Boggs, of Oct. 5th. Documents, etc., pp. 35, 36.

17. Gen. Atchison to the Governor, Documents, etc., p. 39.

Witt expressed a willingness to make affidavits respecting the treatment of the Saints at the hands of the mob, and their present perilous situation; also their willingness to send a messenger with such affidavits to the Governor. The affidavits accordingly were drawn up and placed in the hands of a Mr. Caldwell who presented them to Governor Boggs, but the executive of the state instead of giving the besieged citizens of DeWitt any hope of relief, said to Mr. Caldwell—

*“The quarrel is between the Mormons and the mob, and they can fight it out!”*¹⁸

To the disgrace of Governor Boggs these affidavits of the non-Mormon citizens of DeWitt are not among the official papers reported to the Missouri legislature.

Shortly after this incident Gen. Parks sent word to the people of DeWitt that his troops under Captain Bogart had mutinied and to prevent them from joining the mob he was under the necessity of drawing them away.¹⁹ The Prophet had no confidence in Gen. Parks himself, and denounces him for making no move against the mob, and giving as his reason that “Bogart and his company were mutinous and moberatic, that he dare not attempt a dispersion of the mob.”²⁰

Deserted on every hand by the legal authorities who should have gone to their assistance, and the mob forces constantly increasing, there was nothing for the Saints to do but to capitulate and leave DeWitt; and this they did making a melancholy march to Far West, a number dying on the way from the effects of fatigue and privation.²¹

The DeWitt affair may not be more properly closed than by the final official report of Gen. Atchison to Governor Boggs, respecting it.

Boonville, Oct. 16, 1838.

To His Excellency, L. W. Boggs.

Sir—From a communication received from Gen. Parks, I learn that the Mormons in Carroll county have sold out and left, consequently every thing is quiet there, but Parks reports that

18. Documentary History of the Church, Vol. III, p. 157.

19. Ibid, p. 158.

20. Documentary History of the Church, Vol. III, p. 158.

21. Documentary History of the Church, pp. 159, 160.

a portion of the men from Carroll county, with one piece of artillery, are on their march for Daviess county, *where it is thought the same lawless game is to be played over, and the Mormons to be driven from that county and probably from Caldwell county.* Nothing, in my opinion, but the strongest measures within the power of the Executive, *will put down this spirit of mobocracy.*

The troops ordered into the field, from Park's report, partake, in a great degree, of the mob spirit, so that no reliance can be placed upon them; however, in this I believe Parks to be mistaken. I would respectfully suggest to your Excellency the propriety of a visit to the scene of excitement in person, or at all events, a strong proclamation. *The state of things which have existed in the counties of Daviess and Carroll for the last two months, has been, in a high degree, ruinous to the public, and disgraceful to the State.* I would again respectfully suggest strong measures to *put down this spirit of mob and misrule,* or permit them to fight it out. If your Excellency should conclude the latter expedient best calculated to produce quiet and restore order, issue an order to the Major General, 3d division,²² to discharge the troops now engaged in that service.²³

I have the honor, &c.,

DAVID R. ATCHISON.

Encouraged by their success at DeWitt against an unoffending Mormon community—beyond the fact that they were Mormons—the mob hastened to Daviess county to repeat there, if possible, their DeWitt success.

While these events were occurring in Carroll county, Cornelius Gilliam was raising a mob in Platte and Clinton counties, west of Caldwell, for the purpose of assisting in this enterprise. General Doniphan learned of both these movements and sent word to Joseph Smith that a body of eight hundred men were moving upon the settlements of his people in Daviess county. He gave orders for a company of militia to be raised at Far West and marched at once into Daviess county, to defend those who were threatened, until he could raise the militia in Clay and ad-

22. This refers to Atchison's own command, the 3rd Division, and serves notice on the Governor that he will not serve in the event of the contingency named; also the reference to allowing the parties to "fight it out" as a means of settlement, is doubtless a covert sarcasm alluding to Gov. Boggs answer to Mr. Caldwell in the DeWitt affair.

23. The Italic's in the above communication are mine—B. H. R.

joining counties to put down the insurrection.²⁴ Accordingly a company of one hundred militiamen were gotten in readiness to march into Daviess county. The command was given to Colonel Hinkle and he started for Diahman.

After General Parks had left the vicinity of DeWitt, with his mutinous militia, he returned to Diahman, where he had left Colonel Thompson in command, and resumed control of affairs in that section.

The mob about Diahman, hearing of the fate of DeWitt, and learning of the approach of that mob and the efforts of Gilliam in raising a mob in the west, became bolder, and at once began to threaten the Saints and burn some of their houses and stacks of hay and grain. These depredations were committed chiefly in the vicinity of Millport, a short distance from Diahman.

General Parks passed these burning ruins, and they seemed to arouse within him a just indignation. He at once went to the house of Lyman Wight and gave him orders to call out his companies of militia men—Wight holding a Colonel's commission in the fifty-ninth regiment of the Missouri militia, commanded by General Parks—and gave him full authority to put down mobs where ever he should find them assembled. He said he wished it distinctly understood that Colonel Wight had full authority from him to suppress all mob violence.²⁵ The militia that Colonel Wight called out was divided into two companies; one company, consisting of about sixty men, was placed under the command of Captain David W. Patten, and the other of about the same number was commanded by Wight in person.

Captain Patten was ordered to go to Gallatin. Here he found a body of the mob, about one hundred strong, who were amusing themselves by mocking and in various ways tantalizing a number of the Saints whom they had captured. Seeing the approach of Patten's men, and knowing the determination of the leader, the mob broke and ran in the greatest confusion, leaving their prisoners behind them.

On his arrival at Millport, Colonel Wight found the whole country deserted by the mob which had infested it, and their

24. Documentary History of the Church, Vol. III, p. 161.

25. Documentary History of the Church, Vol. III, p. 163.

houses in flames or in smouldering ruins. The mob having learned that General Parks had ordered out Wight's company of militia, was seized with sudden fear and swore vengeance, not only upon the "Mormons" but upon General Parks and Doniphan as well. To accomplish this purpose, they had loaded their most valuable personal effects into wagons, and setting fire to their log huts, they sent runners throughout the state with the lying report that the "Mormons" had "riz" and were burning the houses, destroying property, and murdering the "old settlers."²⁶

The Gallatin-Millport events related above occurred on the 17th, 18th and 19th days of October; but Gen. Parks who certainly had acted in a weak and unsoldierly way before DeWitt, and who was suspected of more or less sympathy with the mob forces, made no mention of the orders he had given to Lyman Wight to put down mob violence in Daviess county; but on the contrary makes in said report unfriendly allusions to a body of Mormons under arms at Di-Ahman who declared their intention to "defend that place." He reports also the desertion of Millport by the "old settlers;" expresses the belief that the Mormons had "become the aggressors;" that the excitement in Daviess county was "more deep and full of vengeance" than he

26. It was a cunning piece of diabolism which prompted the mob of Daviess county to set fire to their own log cabins, destroy some of their own property and then charge the crime to the Saints. But it was not without a precedent in Missouri. Two years before that, something very similar occurred in Mercer county, just northeast of Daviess. In June of the year 1836, the Iowa Indians, then living near St. Joseph, made a friendly hunting excursion through the northern part of the state, and their line of travel led them through what was known as the "Heatherly settlement," in Mercer county. The Heatherlys who were ruffians of the lowest type, took advantage of the excitement produced by the incursion of the Indians, and circulated a report that they were robbing and killing the whites. During the excitement these Heatherlys murdered a man by the name of Dunbar, and another man against whom they had a grudge, and then fled to the settlements along the Missouri river, representing that they were fleeing from the Indians for their lives. This produced great excitement in the settlements in the surrounding counties; the people not knowing at what hour the Indians might be upon them. The militia was called out for their protection; but it was soon ascertained that the alarm was a false one. The Heatherlys were arrested, tried for murder, and some of them sent to the penitentiary. This circumstance occurring only two years before the action of the mob about Millport, and in a county adjacent to Daviess county, doubtless suggested the course pursued by the mob in burning their own houses and fleeing to all parts of the state with the report that the "Mormons" had done it, and were murdering and plundering the old settlers. The Heatherly incident is called the "Heatherly War" in Missouri annals the circumstance is given at length in the "History of Livingston county, Missouri," written and compiled by the National Historical Company (1886), chapter 3, pp. 719, 713.

had ever seen it before; and he would "not be surprised if some signal act of vengeance would be taken on these fanatics"—the Mormons, of course. "I do not know what to do," he adds, "I will remain passive until I hear from you. I do not believe calling out the militia would avail anything towards restoring peace, unless they were called out in such force, as to fright the Mormons and drive them from the country. This would satisfy the people, but I cannot agree to it."²⁷

On the strength of this report Gen. Atchison sent the following remarkable communication to Governor Boggs, in which one may see struggling in the mind of the General deep disgust and just indignation at the course events had taken.

Liberty, October 22, 1838.

To His Excellency, the Commander-in-chief.

Sir:—Almost every hour I receive information of outrage and violence—of burning and plundering in the county of Daviess. It seems that the Mormons have become desperate, and act like mad-men; they have burned a store in Gallatin; they have burnt Millport, they have, it is said, plundered several houses; and have taken away the arms from divers citizens of that county; a cannon that was employed in the siege of DeWitt, in Carroll county, and taken for a like purpose to Daviess county, has fallen into the hands of the Mormons. It is also reported that the anti-Mormons have, when opportunity offered, disarmed the Mormons, and burnt several of their houses.

The great difficulty in settling this matter, seems to be in not being able to identify the offenders. I am convinced that nothing short of driving the Mormons from Daviess county will satisfy the parties opposed to them; *and this I have not the power to do, as I conceive, legally.* There are no troops at this time in Daviess county, nor do I deem it expedient to send any there, for I am well convinced that it would but make matters worse; *for, sir, I do not feel disposed to disgrace myself, or permit the troops under my command to disgrace the State and themselves by acting the part of a mob. If the Mormons are to be driven from their homes, let it be done without any color of law, and*

27. Report of Gen. Parks to Gen. Atchison, Oct. 21, Documents, etc., p. 47.

*in open defiance thereof; let it be done by volunteers acting upon their own responsibilities.*²⁸

However, I deem it my duty to submit these matters to the Commander-in-chief, and will conclude by saying it will be my greatest pleasure to execute any order your Excellency shall think proper to give in this matter with promptness, and to the very letter.

I have the honor to be,
Your Excellency's most Ob't ser'vt.

DAVID R. ATCHISON.²⁹

After this Gen. Atchison took little part in the movements of the state militia against the Mormons. From Richmond, under date of the 28th of October, he joins in an official report with Gen. Lucas, Major General of the 4th Division state Militia—from Jackson county—saying that in consequence of “late outrages committed by the Mormons, civil war is inevitable;” that “they have set the laws of the country at defiance and are in open rebellion.” The two officers announce that they have two thousand men under arms to keep the Mormons in check, and urge that his “Excellency be at the seat of war, as soon as possible.”³⁰ On the 30th of October these two officers received the “Exterminating Order” of Governor Boggs dated 27th of the same month. Gen. A. W. Doniphan at the same time received “an order and a letter” from the Governor instructing him to obey the orders of Gen. John B. Clark when he should arrive and assume command, as he had been ordered to do. “The letter was very denunciatory of the Mormons, and declared among other things, that ‘they must all be driven from the state or exterminated.’” The authority here quoted adds:

“It is asserted that Gen. Atchison’s orders or directions from the Governor were to the same purport as Doniphan’s letter from the Governor, and that thereupon Gen. Atchison withdrew from the military force, declaring that he would be no party to the enforcement of such inhuman commands. On the other hand, it is asserted that the Governor’s orders to Atchison relieved

28. Italics in the above are mine—B. H. R.

29. General Atchison to the Governor, Documents, etc., pp. 46, 47.

30. Atchison and Lucas to the Governor, Documents, etc., p. 76.

him from command, directing him to turn over his command to Gen. Lucas. At any rate, Gen. Atchison left the militia at Log Creek on receipt of the Governor's orders, and returned to his home at Liberty, and Gen. Lucas was left in sole command.³¹

Gen. Atchison would never clear up this uncertainty in relation to his retirement from these movements against the Mormon settlements. The Author of the History of Caldwell county says: "Repeated letters to Gen. Atchison on this subject have received no answer."³² Joseph Smith says that Gen. Atchison "withdrew from the army at Richmond as soon as the Governor's extermination order was received."³³ Gen. Doniphan says that Atchison was "dismounted" and sent back to Liberty, Clay county, by special order of Governor Boggs on the ground that he was inclined to be too merciful to the Mormons.³⁴ Governor Boggs himself says, in a communication to Gen. Clark, November the 6th, that "Gen. Atchison was not ordered out in this last affair [i. e. under the Exterminating Orders of Oct. 27th], for two reasons: one was, that I was aware as a member of the legislature he would have other duties to attend to; and another was, *that there was much dissatisfaction manifested towards him by the people opposed to the Mormons.*"³⁵

The only regrettable thing in the whole course of Gen. Atchison, and the only inconsistent thing, was his joining with Gen. Lucas in their report to the Governor of the 28th of October, charging "outrages committed by the Mormons;" and in this he was doubtless misled by Gen. Park's report to him of the 21st of October (see *ante*); also saying that they had "set the laws of the country at defiance," and were in "open rebellion." In answer to all this it might be asked: when all the officers of the law refused to hear their complaints, and both civil and military authorities delivered them into the hands of merciless mobs to be plundered and outraged at their brutal pleasure, and all petitions for protection at the hands of the governor had been answered with—"It is a quarrel between the Mormons and the

31. History of Caldwell county, National Historical Co. (1886) p. 133.

32. History of Caldwell county, National History Co. (1886) p. 133—note.

33. Documentary History of the Church, Vol. III, p. 187.

34. *Ibid.*, p. 176, note.

35. The Governor to Gen. Clark, Documents, etc., p. 69.

mob, and they must fight it out"—what was left for them to do but to arm themselves and stand in defense of their homes and families?

But this incident aside, whether he was "dismounted" for being too merciful to the Mormons; or withdrew from the military forces moving upon the Mormons on receiving Governor Bogg's exterminating order, on the ground that he "would be no party to the enforcement of such inhuman commands"—his departure is equally honorable to General David R. Atchison.³⁵

35. David R. Atchison was born in Kentucky, 11th of August, 1807, and was therefore a young man—thirty-one—during the Mormon troubles in Upper Missouri. He afterwards became a prominent figure in politics, state and national. He served two terms as United States Senator from Missouri, 1843-1855; was president *pro tempore* of the Senate, and pro slavery leader in the Kansas troubles of 1856-7. He died in Clinton county, Missouri, Jan. 26th, 1886. The words in Gen. Atchison's Report to Governor Boggs, emphasized in these pages—*I do not feel disposed to disgrace myself, or permit the troops under my command to disgrace themselves by acting the part of a mob. If the Mormons are to be driven from their homes, let it be done without any color of law, and in open defiance thereof*—are worthy to be engraved on this monument.

(To be Continued.)

THE SCOT IN NEW ENGLAND AND THE MARITIME PROVINCES

BY JOHN CALDER GORDEN, B. N. S., Secy. and Custodian American
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PART IV

Sir William Alexander's Policy

SIR WILLIAM ALEXANDER'S policy in New Scotland seems to have been devoted to establishing harmony rather than discord between the French and the Scots, doubtless realizing that the presence of a few straggling Frenchmen under the conditions then existing could not be of any great menace to his colonization plans. This is proven by his generous treatment of the La Tours.

To carry out further the colonization of New Scotland we learn from a letter written by the King, dated Nov. 17, 1629, that Sir William had "agreet with some of the heads of the Chief Clans of the Highlands of that our kingdom, and with some other persones for transplanting themselves into New Scotland." Concerning which proposal His Majesty says: "We doe very much approve of that cause for advancing the said plantations and for debordening that our kingdom of that race of people * * * and since that purpose may very much import the publick good." He closes by making a strong appeal for cooperation.

Early in the summer of 1630, Sir William Alexander, Jr., again made a visit to the Scottish colony at Port Royal, where he found everything progressing satisfactorily. Leaving Sir George Home in charge of the colony, Alexander, Jr., returned to England in the fall of the same year at the earnest solicitation of the Scottish colonists to set in motion all influences possible to prevent the king from ceding the territory to the French.

From this time until the signing of the treaty of St. Germain, March, 1632,—a period of vacillation and duplicity ensued on the part of King Charles to win French favor, telling his Scottish subjects one thing and advising the French court at the same time something to the contrary,—no further attempts were made by Alexander and his associates to send colonists to Nova Scotia. During this period, Sir William and his friends employed the most powerful measures to prevent the king from committing not only a stupendous blunder but an act of perfidy in ceding to France all the territory granted by himself and his father, King James, for the founding of a new Scotland.

On the 23rd of April, 1629, a provisional treaty of peace was entered into between the French and English governments. The impecunious condition of Charles the First at this time, together with the difficulties in which he was involved with his parliament in his attempt to establish absolute authority, doubtless was one of the compelling influences which led the king into these overtures with the French government, inasmuch as the French king, his brother-in-law, threatened to withhold the 400,000 crowns, part of his queen's dowry, unless Britain vacated this part of North America.

And yet while these proposals were being considered, King Charles, seeking to hold the favor of the Scots, maintained the semblance of supporting them in the colonization of Nova Scotia. In a royal letter, dated May 16, 1630, the king thanked Sir William Alexander, Jr., for his "careful and provident proceeding for planting of a colony at Port Royal" and desires him to continue as he had begun, "that the work might be brought to perfection." He further charges him to appoint a deputy during his absence. On July 3 Gov. Alexander was further informed of the king's desire to maintain the rights of the Scots to the territory granted by himself and his father, while concerning French claims he desires a statement of the rights of his own subjects and of the grounds on which he is called on to maintain the patent granted by his father and himself. This inquiry was a mere pretext. On the same date, the king informed the convention of the Scottish estates that Sir William Alexander was appointed a Royal Commission to consult with them on public

affairs. In view of the crisis that had arisen, it was necessary to satisfy the Knights Baronets of New Scotland that their patents and titles were secure. For this purpose the commissioner, Alexander, requested the convention "to ratify their patents." This was done in due form. He next proceeded on behalf of the baronets to urge that it was of the utmost importance to maintain the settlement in New Scotland. The convention without delay unanimously voted to petition the crown to retain the colony (Acts, Scottish Parliament, Vol. v, page 208). This petition was accompanied by a lengthy brief prepared by the commissioner in which a close and detailed argument is made in support of Scottish right and title to New Scotland,—a masterly and exhaustive document.

Despite the objections of the Scots and the representations made establishing their rights in New Scotland, the treaty of St. Germain, ceding the territory to France, was signed and ratified in 1632. After this unceremonious act of the King, all the English settlements in America took alarm,—Jamestown in Virginia, Plymouth in Massachusetts, and Penobscot and Machias in Maine—and with good cause as the French claimed that the territory ceded extended south to the Delaware. So exercised were the authorities of the Massachusetts Bay Colony that they proceeded at once to raise fortifications to protect themselves at Nantasket and Agawam (now Ipswich) through fear that the French might attempt an invasion.

We are reminded at this point that Carlyle has written, "Trifles are the hinges of destiny." The cackling of a goose saved Rome, the running of a thistle into an Englishman's foot saved Scotland, and Mark Antony's predilection for the shape of Cleopatra's nose laid old Troy in ashes and lost him a world. A sordid, weak, and stupid monarch bartered away for a handful of gold a great empire won by his patriotic subjects at vast cost of life and treasure.

Tracy in his Tercentenary History of Canada says on this point: "Sir William Alexander found to his infinite astonishment and disgust, that his king had, in an excess of good nature, ceded back to France all that Scottish valor had won and Scottish enterprise dared."

As indicative of the tenacity with which the Scots clung to New Scotland even in the face of French possession, we find that on Sept. 14, 1633, a commission was granted under the Great Seal to the High Chancellor of Scotland and seven other foremost officials and gentlemen for the purpose of giving title in fee simple of lands in New Scotland, and on Feb. 15, 1634, the record states "they accepted the commission with all the requisite forms." The duty of this commission was to convey to the "Knights Baronets the lands surrendered by Sir William Alexander to the crown for that purpose," and Alexander continued to make such surrenders until within two years of his death in 1640, evidently imbued with the idea that at some future time the British government would again possess the land.

After the treaty of St. Germain's, the king, evidently realizing that Alexander had been a great sufferer from that act and in recognition of his losses, gave him a strip of land on both sides of the St. Lawrence River measuring 300 miles on both sides and extending from its mouth to the Pacific Ocean.

On June 28, 1633, the Scottish Parliament passed an act reciting and ratifying the charters and grants made by Kings James and Charles of the territory comprising New Scotland to Sir William Alexander, with the rights, privileges, etc., therein, and likewise acknowledged and ratified the act by which the order of Knights Baronets of New Scotland was created, and all the grants made under it. In 1635, at the request of the king "the Council of Affairs of New England in America" granted to Sir William Alexander "all that island of islands theretofore called by the name of Matawock, or Long Island, and thereafter to be called by the name or names of the Isle or Isles of Stirling." When that company surrendered its right to the crown, the second Earl of Stirling secured a patent for the "county of Canada, Long Island and adjacent islands," and the patent was confirmed by Charles I. In 1637, Sir William Alexander appointed James Farret as deputy governor to manage and dispose of the Isles of Stirling, where he resided for a number of years. Gov. Farret was also authorized to take up and dispose of for his own use 12,000 acres of land, and he selected for his

own Shelter Island and Robins Island in Penconic Bay, which he afterwards sold to Stephen Goodyear of New Haven.

Alexander came early into conflict with the Dutch concerning his New York possessions and after a few years Gov. Farret was taken prisoner by the Dutch. In 1647, the Alexander family sent out another agent to America to take possession of the New York property. The doughty Dutch governor forthwith had him arrested and shipped to Holland. We are not advised as to what international complications, if any, were the result. The Dutch authorities of New York in an address to the States General in 1640 says: "We shall treat of Long Island more at length because the English greatly hanker after it."

In a petition to King Charles II in 1663, Henry, the Third Earl of Stirling, says: "Your petitioner's grandfather and father and himself theyre heyre have respectively enjoyed the same and have at great cost planted many places on the island, but of late the Dutch have intruded on several parts thereof." In 1664, the third Earl of Stirling sold his right and title to Long Island to James, Duke of York, when the latter was granted possession of New York. The price agreed was 7,000 pounds sterling, but with true Stuart indifference to financial obligation the money was not paid. The Duke, however, granted in lieu thereof the sum of 300 pounds per annum of the revenues derived from the province of New York. This again proved a mere pretext, a promise made only to be broken. In 1760, Major General Sir William Alexander, Earl of Stirling, with two other heirs to this property, petitioned the king for payment of purchase money for Long Island granted to their ancestors.

Stirling, a village near the New Jersey home of the last Earl of Stirling resident in this country, is the only existing memorial of this famous family in America.

Sir William Alexander's second son, Anthony Alexander, studied architecture on the continent and was appointed, Nov., 1628, as Master of Public Works, and on Jan. 9, 1634, he, with James Murray, was appointed as Royal Surveyor. Anthony was on July 3, 1634, initiated into the Masonic order in the Lodge of Mary's Chapel, and through this connection was chosen General Warden of "The Master Tradesmen of Scotland." In 1632,

he was selected by his father to plan and supervise the erection of a new mansion in the town of Stirling, befitting the family's exalted rank and prominent social position. Sir William had already rebuilt and enlarged the old family residence at Menstrie, about five miles from Stirling. Sir William evidently felt that as a peer of the realm and secretary of state for Scotland, he ought to possess a lordly dwelling, while his title suggested its erection in the town whence it was derived. Anthony selected a site immediately adjoining the entrance to the castle, where on every side the view is alike extensive and beautiful. On a site so favored Anthony had ample scope for the exercise of his best skill and he proved equal to the task by designing an edifice of graceful and elegant proportions. "A square structure, with two projecting wings, the back and front display a series of dormer windows, with a profuse distribution of semi-classic moldings. The baron's hall is a lofty apartment, panelled with oak, and provided with an elegantly sculptured chimney piece richly gilt. The stair-case exhibits a massive balustrade of carved oak. In the center of the front wall over the entrance porch, an elegant sculpture, also entire, represents the owner's coat of arms." The building of the mansion occupied three years, the family taking possession in the autumn of 1635. Through many years, this house was one of the most prominent social and political centers in Scotland, kings and potentates, dignitaries of church and state frequently tasting its genial hospitality. The house stands to this day conspicuous among the many attractions of Stirling and is known as Argyle Lodging, and is now used as a military hospital, "probably the finest specimen of an old town residence remaining in Scotland."

Sir William Alexander died on Feb. 12, 1640, at his residence in Covent Garden, London, and received a funeral befitting his high rank and service. The body was embalmed, placed in a lead coffin and conveyed by special vessel to Scotland, and deposited in the family vault at Stirling on the south side of the High Church.

Sir William married in early life, Janet, daughter and heiress of Sir William Erskine, son of Erskine of Balgonie, titular archbishop of Glasgow, parson of Campsie, chancellor of the Cathe-

dral of Glasgow and commendator of Paisley. They had ten children, seven sons and three daughters.

From Sir William Alexander's uncle, John Alexander, was descended William Alexander, Earl of Stirling, a major general in the American army during the war of Independence, conspicuous among the leaders of the time for his energy, promptness and public spirit. He married a daughter of Philip Livingstone, another Scot, whose family held first place during the early colonial and revolutionary period. For nine years, Mr. Livingstone was one of the aldermen of New York city and was later elected a member of the General Assembly of the colony, which position he held ten years until that body was dissolved. When the war of Independence broke out, he was chosen a member of the first Continental Congress, and when the Declaration of Independence was adopted he was one of the first signers.

The father of the major general, James Alexander, came to America in 1716, owing to the part he had taken in support of the House of Stuart in the rebellion of the previous year. He had attained at an early age great proficiency in mathematics and skill in those branches of science which are dependent upon them. He obtained no little distinction as an officer of engineers in the service of the Pretender. Notwithstanding his political affiliations in his native land, from the moment of his arrival on American soil he became a staunch adherent of Whig principles. At this time Alexander enjoyed, through the influence of John Duke of Argyle, "The Great Duke," whose character, Sir Walter Scott has portrayed with historical fidelity in the *Heart of Midlothian*. It will be remembered in this connection that the House of Argyle was the hereditary friend of the Alexander family, hence Alexander immediately obtained the patronage of the colonial representatives of the House of Brunswick, receiving an appointment in the office of the secretary of the Province. His mathematical acquirements were early recognized and he was appointed surveyor general for New Jersey and New York. In 1720 with his countryman, Dr. Calwallader Colden, he was chosen by Governor Burnett of New Jersey and New York, also a Scot, a member of his council, "in which choice," says a writer

of the time, "the governor showed his wisdom, for they were both men of learning, good morals and solid parts." The family attributes of versatility and ceaseless energy found in the surveyor general a prominent illustration. In the midst of his various duties, he found time to pursue the study of law, was admitted to the bar and became noted for the volume and accuracy of his legal knowledge.

A tradition of the Alexander family is to the effect that James Alexander Father of Major General Alexander was one of those Scottish Associates who were ardent to have the exiled king, Charles III, formerly Prince Charlie of 1745, come across the sea and raise his standard in America in the cause of the integrity of the American Provincial charters, which recognized him as King in their just interpretation. Washington Irving states that Sir Walter Scott told him that in the royal family papers in Windsor Castle is some of the captured correspondence between the Scots of America and Prince Charles to this effect. However this may be, we have evidence of the fact that some of the American Scots and other so-called Legitimists in the colonies took as their badge the white Cockade and the mountain eagle, in memory of the White Cockade of the Stuarts and the Order of the Mountain Eagle founded in Scotland in 1745 by Prince Charlie for his adherents in the cause of the ancient constitution. This mountain eagle was in the arms of the family of De Ergedia, that is of Argyle, Lord of the Isles, to whose seion King Robert Bruce exclaimed at the Battle of Bannockburn: "Lord of the Isles, my trust is in thee." It was to honor the most powerful chief of his Scottish adherents in 1745, who bore by descent from the Lords of the Isles the eagle of the Ergedias, that Prince Charlie chose this imperial emblem. In the name of the same cause, in the Stuart charters of America and for the independence of the same from the Revolutionary designs of the English parliament, the mountain eagle of the Ergedias was worn in America by many of the Scottish and other soldiers, and finally became the emblem of the United States. One of these eagles, worn at Bunker Hill in 1776, is in a historical collection at Boston, Mass., owned by Mr. Baker of the New England Historic and Genealogical Society.

PART V

French Attempts at Settlement

TWO unsuccessful attempts had previously been made by the French to establish a settlement on the Annapolis Basin, 1605 and 1610. The first failed because the dominant and controlling idea of colonization was lacking and the second was broken up and driven away by an armed expedition from Jamestown, Virginia, in 1613, under command of Captain Samuel Argall, later Governor of Virginia, who was ordered to destroy all French settlements encroaching upon the territory of the English.

With the one exception of the capture by Captain Argall a few weeks previous of a French vessel containing Jesuit missionaries, who were preparing to settle on what is now known as Mount Desert Island, this was the first conflict between the French and the English in the new world. In these two engagements only one man was killed, Captain Argall's purpose being to warn the French that they had no title to found permanent settlements in North America and to desist therefrom. It has been stated by certain historians that Argall razed all the French habitations at Port Royal (on the Annapolis Basin), but this is not the fact. The truth is that he only demolished the fort, thereby seeking to destroy all evidences of military power and the authority of possession.

It should be remembered that at this time France, Britain, and Spain, all claimed North America, the Dutch, in a quiet way, confining their claims and operation to the territory about New York State. In this connection, it is interesting to note that the claim to New England, New Scotland and Virginia as set forth by the Scottish Convention of Estates (the landowners) at Edinburgh was grounded on Cabot's discovery. The record of this convention states:

"Immediately about the time that Columbus discovered the isle of Cuba Sebastian Cabot, sent out from England by Henry the Seventh, did first discover the continent of America, beginning at Newfoundland, and thereafter going to the Gulf of Canada, and from thence having seen Cape Breton all along the

coast to Florida. By which discovery his majesty hath the title to Virginia, New England and New Scotland, as being there first discovered by Cabot at the charge of the King of England."

It may be well in passing to note the essential difference of the basic motives dominating the various colonists, particularly the French and the Scotch—the two peoples at this time attempting to colonize this portion of the new world, or that part now known as the Province of Quebec and the Maritime Provinces. The French were evidently content to devote themselves to the easier and more fascinating pursuits of adventure and trading for furs with the Indians rather than the less venturesome toil of agriculture and the founding of a permanent home, which were peculiarly characteristic of the Scotch.

"There is no wonder the French being so lightly planted did take no deeper root in America," said Sir William Alexander in his work "Encouragement to Colonies," "for they as only desirous to know the nature and quality of the soil, and of things that were likely to grow there, did never seek to have them in such quantity as was requisite for their maintenance, effecting more by making a needless ostentation, that the world should know they had been there, than that they did continue still to inhabit there, like them, that were more in love with glory than with virtue, they being always subject to division among themselves, it was impossible that they could succeed."

In the year 1605, two years previous to the settlement of Jamestown, Virginia, by the English, the French established on the shores of Port Royal, (so named by the great Champlain) now known as Annapolis, what is generally recognized as the first permanent settlement of Europeans in North America. The leader of this expedition was Pierre du Guast, Sieur de Monts, governor of Pens, and an officer in the royal household. Accompanying him were some of the choicest spirits of those times, among them Samuel de Champlain, who later was to win immortal fame and who to-day is the most outstanding figure in the entire history of New France. Although a young man, Champlain had already won substantial recognition from his king for his active part in the French civil war. He came bearing a royal and detailed report of his discoveries, with charts, maps, etc.

Another smiling gentleman in this company was Jean de Bien-court, Baron de Poutrincourt, who after a period of struggle and contention in behalf of his King desired to escape the civil strife of old France and sought to obtain a quieter home for his family across the Atlantic. Baron Le Pontgrave, a practical businessman, was another active influence, who was destined later, with de Monts and Champlain, to have a share in the founding of Quebec.

The first effort at productive agriculture in North America was at Port Royal in 1606. The same year also witnessed the construction of the first lime kiln and the first blacksmith's forge. Here also was the first ship yard on the continent, two small vessels being built and launched, and here was the first corn mill erected.

It is no part of our purpose to trace in detail all the experiences of the French at this time, suffice it to say that the settlement commenced at Port Royal under such favorable auspices was doomed to early disaster. The end of May, 1607, brought an order from France to abandon the colony. The enemies of Sieur de Monts at court, by false representation, had influenced the king to withdraw his support and order the settlers to return to France.

Port Royal with its sunlit waters and smiling hillsides, clad with the forest primeval had a strong fascination for the Baron de Poutrincourt, the call of the wild finding eager response within him, and the echo of the sounding sea as the mighty tides dashed back and forth through the Digby Gap ever ringing in his ears. Hence we find that after much discouragement and the exercise of the most subtle diplomacy he gained the consent of the king for the renewal of the grant at Port Royal, and, in 1610, three years after the first failure, he returned to the land that had called, earnestly intent upon founding a permanent settlement and instituting an active propaganda for the conversion of the Indians, in which he was aided by a number of Jesuit priests, among them Fathers La Fleche, Biard and Emond Masse.

Things, however, did not run smoothly at all times in the new settlement. Father Biard assumed to be the sole dictator, not

only in religious matters but in all material and civil affairs as well; hence, Poutrincourt, Roman Catholic though he was, was compelled to say to him, "Show me my path to heaven, I will show you yours on earth." Another echo of the age-long struggle between ecclesiastical and civil authority which even the opening years of the twentieth century with its broader humanitarianism and its wider justice have not ended.

Biencourt, son of Baron de Poutrincourt, was the leader of the French at Port Royal when Argall arrived, and with him Argall held a long conference concerning the rival claims of the English and French title to the country. When Biencourt learned from Argall that the British would have a jealous care over all this country and would not permit the founding of any permanent settlements under the authority or flag of any nation other than Britain, he proposed to Argall that they enter into a commercial partnership and use his (Biencourt's) knowledge of the country to gain great wealth by trading in furs, woods, fish, metals, etc., but Argall, notwithstanding the alluring inducements held out by the French leader, absolutely refused to enter into any alliance with him, telling Biencourt that his sole duty was to warn him against making a permanent settlement under the French flag, and to destroy all evidences of military power. This statement is proven by the fact that the corn mill, farm buildings, houses, etc., of the French situated on the point, now the site of the present town of Annapolis, were left standing and untouched. Argall gave Biencourt his ultimatum, namely, that if hereafter any efforts were made to erect a permanent military station at Port Royal, he would be treated as an enemy. This is somewhat different from the story of most historians who have pictured Argall as a blood-thirsty buccaneer. The fortune-seeking Frenchmen evidently had no intention to abandon their settlement, for as soon as Argall's ships disappeared they rallied and endeavored to rebuild the fort and carry on things much as before. This action of Argall occasioned no complaint by the government of France nor did it attract any special notice from the court of England—conclusive proof, surely, that it was not the cold-blooded, high-handed outrage some historians

have pictured, especially as the two nations were at peace at that time.

Although the British flag erected by Argall floated over the territory, French rule had been put to an end in appearance only. Argall sailed away seeking evidences of other foreign settlements which he found on the site of the present city of Albany, New York, where the Dutch had a trading post. Great numbers of Frenchmen with a sprinkling of Dutch adventurers continued to erect trading posts in various parts of the sea coast in what is now Nova Scotia, New Brunswick, Quebec, and Maine where they went fishing and carried on a profitable trade with the Indians in furs.

There is a curious tradition anent the Jesuits of Port Royal with Poutrincourt repeated by several of their historians, namely, that Father Biard desiring to be the head of a settlement, where he could have undisputed authority, removed with some others and was the head of the party preparing to settle at Mount Desert when Argall arrived. To Argall, Father Biard divulged the location of the French at Port Royal and consequently it was under Biard's inspiration that Argall proceeded against it.

Among the French who had settled at Port Royal with Baron Poutrincourt in 1610 were Claude La Tour, a French Huguenot, and his son Charles, a youth of 14 years. La Tour was of high social position in France and had been a great land owner. He became a victim of the civil strife prevailing in his own country. Misfortune dogged his footsteps and he resolved to begin life afresh in the new world.

(To be Continued.)





THE ROCHAMBEAU HOUSE IN WESTCHESTER COUNTY, NEW YORK

THE ROCHAMBEAU HOUSE

BY LYMAN HORACE WEEKS

DURING the summer of 1781 the allied American and French armies were encamped in Westchester County between White Plains and the Hudson River. The two armies, although separately encamped, occupied contiguous territory, the American with its right resting on the Hudson and the French along the hills of Greenburgh as far as the Bronx, with the valley of the Nepperham between them. Irving, in his "Life of Washington," says: "The French encampment made a gallant display along the Greenburgh hills. Some of the officers, young men of rank, to whom this was all a service of romance, took a pride in decorating their tents and forming little gardens in their vicinity."

Although these encampments were held for a few weeks only, the short period was made an occasion of social gayety by both commands. Visits between the American and French officers were frequent and special entertainments were reciprocally arranged. In the diaries and the letters of these officers are abundant and interesting references to these exchanges of courtesies. On many occasions banquets were planned, and it was not infrequent that the tables were spread in the big barns adjoining the farm houses where the generals had their headquarters. The young French officers ingratiated themselves into the favor of the country belles, dances in whose honor enlivened the summer evenings. The recollections of these affairs was fondly cherished by many Westchester maidens for long years thereafter.

The Count de Rochambeau was chief in command of the French army. With him were such distinguished representatives of noble French families as the Baron de Viomenil, the Chevalier de Chastelleux, the Duke de le Lausun, the Count de

Fersen, the Count de Lauberbiere, the Count de Viomenil, the Count de Custine and others. Rochambeau had his headquarters in the house which has become best known as the Odell homestead. With him, as aide de camp, was young Louis Alexandre Berthier who, in after years, rose to distinction under the great Napoleon, became field marshal of France and Prince of Wagram and died at the hands of unknown assassins.

The Odell homestead was an ordinary country farm house and it has not changed much in the generations which have since gone by. At the time when it was temporarily occupied by Rochambeau it belonged to a family by the name of Taylor as appears from an order issued by General Washington in July, 1781, establishing two markets for the armies, one near his headquarters in Dobbs Ferry and "the other in the French camp near the house of Henry Taylor, which is ye headquarters of His Excellency the Count de Rochambeau."

The house is situated on the high ridge, south of White Plains and west of Hartsdale, where the country overlooks the valley of the Bronx to the east and the territory bordering the Hudson to the west. It is a plain structure of two stories, with a shingled pitched roof and clapboard sides. The front to the street has an entrance and two small paned windows on the first floor, while above are three windows. In the rear the roof slopes long and low to cover the one-story kitchen extension, and one gable end is pierced with windows and the kitchen door. Big trees overshadowed it in the time of the Revolution and have long continued to give a charm to the place. Set back somewhat from the street it is half concealed with shrubbery and a low picket fence.

In the Revolutionary period this house was the home of Colonel John Odell, who was a staunch patriot, one of the famous Westchester guides and a lieutenant-colonel of a regiment of the Westchester County militia after the war had ended. John Odell was descended from William Odell, the American pioneer, who came to Massachusetts in 1639, and settled in Concord. He was the eldest son of Jonathan Odell of Irvington and Margaret Dyckman, his wife, both of whom are buried in the church yard of the old Dutch Church of Tarrytown. John Odell, who was

born in 1756, had an exciting life during the Revolution. In a memorial to the legislature of the State of New York in 1839 he set forth his public services. In 1776, when less than twenty years of age, he enlisted as a private, and during that year he was left almost destitute by the British encamping on his farm and destroying his property. From 1780 to the end of the war he was a member of the Horse Guard of Westchester County, ranking as lieutenant and as captain in the line, and in this capacity he did remarkable work for the patriot cause. So well known did he become, and so feared was he by the enemy that a reward of £100 was offered for his capture, and he had several narrow escapes from being taken prisoner. He was the principal guide in the advance of the continental army through the Saw Mill or Nepperham River valley on July 2 and 3, 1781.

He married Hannah McChain, sister of John McChain, one of his associate guides, and daughter of James McChain, who lived not far from the Odell place on the Greenburgh hills. One of his narrow escapes from capture was when he was once spending the evening in the home of his sweetheart. Some of the Tories of the neighborhood, learning of his presence, determined to make him prisoner. But Hannah McChain, seeing them coming, suspected their purpose and hastily led her lover to a place of secrecy in a low garret under the roof. Although the Tories searched the house they did not find their man; and the following year, after the war had come to an end, the two were married. Descendants of Colonel Odell have continued to occupy the Odell homestead to the present generation.

Not far from the house the French soldiers built bake ovens for use during their occupation. These were on the hill about a thousand yards to the south. Nearly a century later remains of seven of these ovens were found and they were then described as being about six feet long and apparently two feet six inches wide in the clear, built mostly underground, with wall and roof of cobble stones.

HERALDIC CONSIDERATIONS

BY THE VISCOUNT DE FRONSAC

FAMILIES OF SEIGNEURIAL RANK IN COLLEGE OF ARMS OF CANADA

LAW, DUKE OF ARKANSAS

ARMS:—Ermine, a bend between two cocks, gules, within a bordure of the same. Coronet of duke over siegneurial one.

History:—The family of Law is eminent in Scotland and France. In Scotland the first of the name in public affairs occurs in the records of King Robert III. The family intermarried with the Earls of Argyle and assumed the title of Baron of Lauriston, which they bore for six hundred years.

Of this family, John Law went to England in the beginning of the XVIII Century. His handsome appearance and general acquirements and talent made for him a great many enemies in London society. Beau Wilson considered him his especial rival in dress and fashion, and from this envy, put a quarrel on Law. In the duel which resulted, Wilson was killed, and although Law was pardoned by the King, the persecution of the Wilson family forced him to leave the country. He took shelter in France, where his financial plans captivating the Regent, he was speedily invested with the office of Comptroller-General of the Kingdom.

One of his plans embraced the colonization of the Mississippi Valley and the creation of a great port at its mouth. Had his plans been sensibly achieved, the riches of that region, well-developed in French hands—would have rendered French power in America too secure to have been driven out in 1763.

John Law was made Duke of Arkansas and to this, his New World duchy, he sent 1,700 colonists from the Palatinate.

Among them was the ancestor of Gortschak, the musician. But the extravagance and wildness of the French speculators who entered this scheme, ruined it. The Regent died and Law gave his own property for the benefit of those who had lost in the financial part of his project. He was proposing to send 7,000 more colonists to the Mississippi when the bank which he had established, and which had become controlled by irresponsible parties of the Regent's court, became bankrupt. From that time dated the overthrow of his fortune and the Empire which he was establishing in the West.

He married Catherine, daughter of Nicholas, Earl of Bunbury, and by her, who died as his widow in 1747, he had a son, John, who was a coronet in the Nassau Regt. in Friesland and who died leaving no children; and a daughter, Mary Law, Duchess of Arkansas, who married Viscount William Wallingford, M. P. of Bunbury, Major of the 1st Troop of the Horse-Guards and son of Charles, 4th Earl of Bunbury. He died in 1790 without issue.

The right of representation reverted to the 1st Duke's brother, William Law, who was Director-General of the French East Indian Company, who died in 1722, leaving two sons. One of these was John Law, Baron de Lauriston, Gov. of Pondicherry and *maréchal de camp*, who married Jane, daughter of Don Alex. Carvalho, a Portuguese noble. His son was James Alex. Bernard Law, born in Pondicherry, in 1768, Colonel of horse artillery in 1794, A. D. C. to the Emperor Napoleon in 1800, Gov.-Gen. of Venice in 1807, commander-in-chief of the Corps of the Elbe. He commanded also a corps of reserve in the Spanish Peninsula in 1823 and afterwards was Marshal of France, Marquis de Lauriston and a Peer of France. He married Claudine Antoinette Julie Le Duc. He left two sons, the eldest of whom, J. Alex. Law, Col. of the 5th Regt. of Chasseurs de Cheval married Jeanne L. D. Carelli and left two sons.

This, the second duchy of the Aryan and Seignorial Order in America (the first being the Duchy of Veragua) is represented to-day by the present Marquis de Lauriston, who resides in France.

ROUER DE VILLERAY

Arms:—Azure a chevron d' or between three helmets, *en profile*, argent. Seigneurial coronet.

History:—This family is of Champagne Jacques Rouer, Sieur de Villeray, "vallet de chambre" of Her Majesty the Queen. His son was Louis, Marquis de Villeray, chevalier of St. Louis V, St. Lazare, Guidon of the Gens de Arms of France, etc., and his son;—

Louis R. Rouer, Sieur de Villeray, the first in America of his race, who was member of the Superior Council at Quebec and Civil and Criminal Judge. One of his sons, Augustin Rouer de Villeray, obtained the Seigneurie of Lacordonnière and married at Quebec in 1689, Marie L., daughter of Charles Le Gardeur, and on her decease, in 1709, Marie daughter of Francis Pollet.

Another son, Etienne de Villeray, accompanied Iberville to Louisiana and his son, Joseph, married Louise, daughter of Jacques de La Chaise, by Marguerite, daughter of the Chevalier d' Arensburg, who was presented with a sabre by king of Sweden. His son, Gen. Jacques P. Villeré, was governor of Louisana and author of the Declaration of Independence of that province from Spanish rule in 1764. His son, Col. Villeré was a commander at the Battle of New Orleans in 1814.

ESTIMAUVILLE BARON DE BEAUMOUCHEL

Arms:—Gules, 3 merlets, argent. Coronet of Baron over Seigneurial one.

History:—Of the ancient noblesse of Normandy, Jean B. D' Estimauville, Baron de Beaumouchel was sent into Canada by the King of France and appointed Lieutenant-Colonel of the District of Three Rivers. He obtained seigneurial registration and married Marie J. Courreau, daughter of the Seigneur de La Coste. His children were I, Jean B.; II, Josephine; III, Marguerite. The eldest, his successor, Jean B. P. d' Estimauville, Baron, etc., was Sheriff of the Admiralty and Major of Canadian Chasseurs. He married in 1805 at Quebec, Marie J., daughter of Joseph Drapeau. His daughter was Marie J. J. E.

d' Estimaerville, Baroness de Beaumouchel, born at Quebec in 1816.

MEZIERES DE LEPREVANCHE

Arms:—D' or, a lion sable crowned the same, armed and langued gules. Siegneurial coronet.

History:—This family in 1686 registered its proofs of nobility and was of St. Cyr in Normandy. The first ancestor in its records of noblesse is Jean de Mezières, Seigneur de Socance in 1500.

Of the same race was Charles F. Mezières, Sieur de Leprevanche, Chevalier and officer, son of Henri and Marie (Tracet) Mezières of Bois Leprevanche, Evreux, Normandy, who was the first of his line in America. He was admitted to Seigneural rights. He married at Detroit in 1725, Louise, daughter of J. B. Nolant.

D' AGNEAUX (DANEAU) DE DAUVAL & DU MUY

Arms:—Azure, 3 lambs argent 2&1. Seigneural coronet.

History:—The family of D' Agneaux is among those who proved their four degrees (sixteen quarters) of nobility at Caen in 1666. The branch established in seigneural rights in Canada belonged to the same stock and is mentioned in "La Recherche de la Noblesse" Champillard, p. 280-1. The chief of the family of Daneau du Muy married at Boucherville, Canada (1687) Marguerite, daughter of Pierre Boucher, Seigneur de Boucherville, and at her decease, Catherine, daughter of the Seigneur Charles d' Ailleboust. Afterwards leaving Canada he became Governor of Louisiana.

Michael D' Aigneau, Seigneur de Dauval, of another branch of the same family but the first of his own particular line in America, was born in 1653. He was cadet and ensign in the company of M. Mine; married at Sorel (1688) Marie, daughter of Isaac Lamy. His eldest son and heir was Louis Caesar Dagneaux, Seigneur de Dauval-Quindre, Colonel of Troops at Montreal, married Marie A., daughter of Francis M. Picoté, Seig-

neur de Bellestre and died at Detroit in 1767 leaving issue. His brother, Guillian Dagneaux obtained the seigneurie of La Motte, was born in 1706, and was at Detroit in 1750. He married at Montreal in 1742 Louise, daughter of Louis H. Fournier.

RIGAUD MARQUIS DE VAUDREUIL

Arms:—Argent, a lion gules crowned d' or. Coronet of Marquis over Seigneurial one.

History:—The seigneurs of Rigaud were of great antiquity and of powerful race near St. Papoul, France.

Jean L. de Rigaud, Seigneur de Castel-Verdun and of Vaudreuil accompanied the troops of France into Canada as general officer, and married at Quebec in 1690, Louise E., daughter of Pierre de Joybert, Seigneur de Soulanges. His eldest son was Louis Philippe, first Marquis de Vauderuille, that marquisate being situated on the St. Lawrence about 20 miles above Montreal. He was Vice-roy of Canada in 1759. He was born in 1705 and married Antoinnette Colombel. He was also Governor of Louisiana and his descendant, the last Marquis, deeded his valuable family papers to the Historical Society of Louisiana because there was such hostility among the politicians in control in Canada against the honorable memories of the past régime—no doubt so on account of the reproach the presence of the memories of the Past would be to their own existence in the government.

GRANT-LEMOYNE, BARON DE LONGUEUIL

Arms:—Quarterly, 1st & 4th azure, 3 roses gules; on a chief of the 2nd a crescent and 2 stars of the 1st; 2nd & 3rd the arms of Grant of Blairfinlay. Baronial Coronet over Seigneurial one.

History:—The Barony of Longüeul was created from the *Seigneurie* of that name in favor of the Chevalier Charles Lemoine in 1700, whose family had held that fief since 1642. The first of the name had come to Canada with the founder of the Montreal District, M. de Maisonneuve, and had participated in

the heroic events of that time. The first Baron de Longüeul was acting Governor-General of New France and a Chevalier of the Royal and Military Order of St. Louis. One of his brothers obtained the fief of Iberville and was the founder and first governor of Louisiana (1698). Another brother received the lordship of Bienville and later was Governor of Louisiana and founder of Mobile and New Orleans. A third brother was the Chevalier de Chateauguay and commander of the troops in Louisiana and was the captor of Pensacola from the Spanish.

The family came from Normandy and was descended on the distaff side from the family of Longueil that bore the title of marquis dating from the X Century. In 1758 the last Baron de Longüeul of the Lemoyne family, was killed in fighting against the English invasion. His only child, a daughter, Marie, married Capt. Alex. Grant, a Scottish cavalier and a follower of Prince Charles Edward Stuart in 1745, for the cause of legitimacy and constitutional monarchy. On the failure of that heroic undertaking he came to Canada and this marriage with the little Baroness followed. The title thereafter descended in the Grant family. In 1894, Charles Colmore Grant, Baron de Longüeul became Chancellor of the Aryan and Seigniorial Order and successor of the Baron de Longüeul as President of the Seigniorial Council of Canada in 1773 which had been recognized through their representative (de Lotbinière) in 1774 by the King and both Houses of Parliament as the Government in Canada at the passage of the Canada Act of 1774 (See London Parl. Reports).

The history of the family of Grant of Blairfinlay in Scotland, from which this branch sprang, is worthy of recital:—

According to the annals of Scotland, the Grants are of Franco-Norman origin. The first of the name of Grant to appear in Scotland were Lawrence and Robert, sons of Gregory de Grant, who obtained the Lordship of Stratherrick by marriage with an heiress of the family of Bisset. In Skene's "History of the Highlanders," p. 418 (note), it declares: "The name means undoubtedly, Great, and is the French "Grand" or "Grant" (compare Blound, Blount, etc.).—They were Normans but the clan (or population) over whose lands they ruled as lords (like

that in every such instance) were native. The Bissets, Grants, Prats were neighbors in England (Nottinghamshire), Many of the Grants are mentioned connected with the North from 1292 to 1307."

ST. VINCENT, BARON DE NARCY

Arms:—Quarterly 1st & 4th, d' or a bull passant gules, horned and hooped the same; in a sinister canton azure, a cross voided, potencée d' or; 2nd & 3d d' or a bell-chime gules. Coronet of Baron over a Seignorial one. Crest: —A bull issuant between two banners of the arms, of the second.

History:—This family is ancient and noble in Champagne and Flanders. Pierré de St. Vincent, Baron de Narcy in Champagne, first captain of troops in Canada, Chevalier of St. Louis, was born in 1660, and married Marie Antoinette Dugard, and had: I Marie, II Henry, III Jean C., IV Daniel, V Elizabeth. The eldest, as Baron de Narcy, was an officer of troops at Lorette, Canada, in 1730; he married at Quebec in 1719, Marie M. L., daughter of the Seigneur Jacques Le Vasseur and had: I Thomas A., II Marie T. E., III Charles A. His eldest son has perpetuated the title and race.

TONTY, BARON DE PALUDY

Arms:—Argent, a bend engrailed sable. Crest;—A bird ppr.; in front 3 ostrich feathers, gules [as born by the ancient family of Dondi (Tonti) of Venice that at one time had the rank of count]. Coronet of Baron over Seignorial one.

History:—Laurent Tonti married Isabella de liette. Their son, Alphonse Tonti, Baron de Paludy was born in 1659 and married at Montreal in 1689, Anne, daughter of Pierre Picoté and at her decease, Marie A., daughter of Jacques Roch, Seigneur de La Marque in 1717. He was captain commandant at Detroit and a founder of Arkansas. He was military engineer under La Salle and built Ft. Miami (now Peoria) Illinois. In warfare he was called "The Iron-hand" by the Indians. He was also known as the "Father of Arkansas" and established the first white settlement in that province. He built St. Louis

on the Illinois in 1686. He died at Mobile in 1704. His children were: I Marie F., II Louis, III Charles, IV Claude, V Therese, VI Pierre A., VII Marie J. His eldest son, Charles Henri Joseph Tonti, Baron de Paludy was Governor of St. Louis, Missouri. He married at Chambly, Canada in 1722, Marie M., daughter of Pierre Savburin and at her decease, Louise, daughter of Charles Renaud in 1732, leaving Angelique, and other heirs who have transmitted name and rank.

CAEN, BARON DE CAPTOURMENT

Arms:—Azure, a fleur-de-lys argent. A baronial coronet over a seigneurial one.

History:—Guillaume de Caën from the baronial fief of the same name in Normandy dating to the time of Duke William in 1060, was the first to receive a baronial fief in Canada, when Captourment was erected to that degree of feudal importance and bestowed on him by the King Henry IV, surnamed the Great, of France and Navarre. His family afterwards removed to the Island of Guardeloupe. This was a Huguenot family and many members settled in Britain to escape Catholic persecution in France. It is said that a family in America named Kain, or Kane is of this descent.

DE LORÉ

Arms:—Ermine, 3 cinqfoils gules. Seigneurial coronet.

History:—A house of chivalric origin that derives its name from the feudal fief situated three leagues from Mans, and which counted 140 censitaires. It flourished since the XIII Century, and had contracted alliances with the most renowned families of Anjou, Poitou, Maine and Touraine. The family was registered among the Seigneurs of Canada during the reign of King Louis XIV.

PRÉÉVOST DE ST. FRANCIS

Arms:—Tiercé Ist a crescent argent; 2nd d' or, 3 stars azure; 3d sable a sirène argent.

History:—A family that has given Robert Prévost, Seigneur

de Montreuil du Pereux, Treasurer, Receiver-General and Paymaster-General of the City of Paris, born in 1654, and after filling the above position with honor was made Chancellor-Secretary by the King for his own household and the Crown of France. His cousin, Jean P. Prévost, Seigneur de St. Francis represented this family in Canada in 1683, in Seigneur de St. Francis represented this family in Canada in 1683, in Seignurial registration. He married at Beauport, Canada, Marie, daughter of Martin Girou and at her decease, Marie G., daughter of Jean Sedilot at Ste. Famille. His father was Martin, son of Pierre Prévost by wife Charlotte Viau.

MARTIN DE LINO

Arms:—Couped, in chief, d' or 3 hearts gules ranged in fess: azure, a chevron d' or. Supporters;—Two lions d' or, armed and langued gules. Seignurial coronet.

History:— This house, originally Italian was seated since 1470 at St. Tropez in Provence, where its members have occupied the first charges and dignities and contracted distinguished alliances, among others with the families of Attenous, de Pignon, de Leoube, d' Antrechaus, de Gassendi, de Renaud de Trets. Their affiliation is duly certified by numerous titles. One of its most distinguished members was Receiver for the Counts of Toulouse, others were Judges-in-Chief of the Admiralty and Sub-Intendants of Provence. The family had many members of Parliament, Consuls and Mayors of St. Tropez, a Vice-Admiral, and three generations of Councillors-General of the Department of War. From a line of this family living at St. Nizier, Lyon, was Claude Martin, Sieur de Lino and his wife Antoinette Chalmetts.

Mathurin Marton, Sieur de Lino, born in 1651, was the first of this family in Canada. He was an officer sent into Canada by the King where he obtained Seignurial registration. He married at Quebec in 1685, Catherine, daughter of Pierre Nolant. Descended from him was Louis Xavier Martin Chalmetts de Lino, Lieutenant of Marines sent from Canada into Louisiana for whose family Port Chalmetts, near New Orleans, is named.

RAINEAU DE GRAVEL

Arms:—Barri of 4, d' or and azure, 10 glands counter-charged. Seigneurial coronet.

History:—In Dauphinay, but originally of Paris, this family was seated, and had for author, Pierre Raimbault, Secretary to the King, who died in 1553. His descendant was Philippe A. Raineau, Sieur de Gravel in Canada, a Commandant, who married at Quebec in 1728, Therese Mivet. He was son of Antoine Raineau, Commandant of the forests of His Royal Highness, the Count of Toulous and his mother was Marguerite de Poncy.

D' ESTINNE

Arms:—Azure, 3 bandlets, d' or. Supporters;—Two griffins, d' or. Crest;—The bust of a man wearing a chapeau ornamented with plumes. Seigneurial Coronet.

History:—This is one of the most ancient families of Provence. It traces to Jacques D' Estienne, who in 1267 rendered his accounts as Chatelain of Bouc and Pennes. His son Pierre was confirmed in the title of Chevalier by King Charles II, of Sicily and Jerusalem in 1307.

Denis D' Estienne, a noble of this family, born in 1670, was the first in Canada. He was Lieutenant of Marines, and Major at Montreal with Seigneurial rank. He was son of Denis D' Estienne, King's Councillor at the Parliament of Provence, and his mother was Lady Frances Desvoyer de Clerin. He married at Montreal in 1691 Jeanne, daughter of Judge Gabriel Celles-Duclos.

DE LUSIGNAN

Arms:—Barry of 8 argent and azure in orle. Seigneurial coronet.

History:—One of the most considerable of France, this grand house that has given its name to the town of Lusignan (five leagues from Poitiers) traces to the X Century. It has given sovereigns to Cyprus, Jerusalem and Arminia. In 1872 it was represented by the Comte de Lusignan of Versailles and M. de Lusingnan of Blois.

Paul Louis de Lusignan was the first of this family in Canada. He was a Seigneur and commandant of a detachment of Marines, son of Messire Pierre A. de Lusingnan by wife Jeanne Tibaut of La Rochelle, France. He married at Champlain, Canada, in 1689, Jeanne, daughter of Hon. Jacques Baby. He had Paul L. de Lusingnan, Seigneur d' Azmard, born 1691, Chevalier, Lieutenant, etc., who married at Montreal in 1722, Madeleine, daughter of Francis Bouat. Several of the family have occupied in Canada places of distinction in war and literature.

PORTAIL DE GEVRON

Arms:—Azure a “portail” d’ or transversed by a lance argent. Seigneurial coronet.

History:—This family originally of Languedoc, has given many officers of merit to the army and engineers. Daniel Portail, Seigneur de Gevron in Canada, was the first to cross the sea. His father was Daniel Portail, Sieur de Gevron, perpetual Mayor of St. Florent-Le-Vieil, whose wife was Anne Ginbault of Angers, Anjou, France. His son married at Batiscan, Canada, in 1728, Anne, daughter of Leon J. Langy.

HISTORICAL VIEWS AND REVIEWS

Readers of Americana are invited to contribute to this column their views on any topic that comes within the scope of the magazine. Criticism and corrections are welcome.

Owing to a misunderstanding in regard to the arrangement of the manuscript of "The Scot in New England and the Maritime Provinces," for which the author was in no sense responsible, the material which appears in this number as Part V. "French Attempts at Settlement" was omitted from the last number of *Americana*.

WADE HAMPTON ON NEGRO COLONIZATION

Mr. Duane Mowry, of Milwaukee, writes:

In a recent volume on the negro question, the author discusses, in a most convincing manner, the race problem, and adduces some interesting and valuable data to show that colonization is the only certain and complete solution of the problem. He is not alone in his contention. President Lincoln adhered to that view. Many of the statesmen of the reconstruction period of our country's history entertained the same idea. Others, of a more recent time, maintain that the negro cannot hope to permanently excel over his white brother; that however reluctant we may be to admit it, admit it we must, that the "problem" will be with us so long as the race is with us.

A letter from the late Senator Wade Hampton, written in 1889, urges colonization as the remedy for the "problem". It was written to the late Senator James R. Doolittle, of Wisconsin, and was not, evidently, intended for publication. Nevertheless, it is the sentiments of an intelligent resident of the South, and is a valuable contribution to the subject. It follows:

"Hampton, Miss., Nov. 12th, 1889. My Dear Sir: I have
(975)

read, with great interest the speech & the letter you were kind enough to send me, & I concur fully in the views you expressed. I wish that your suggestions had been carried out when they were made, but perhaps it is not yet too late to act on them. You, as a Northern man, can see the danger which threatens the country, by the presence here, of the black race; people unfitted by habit, by education & by nature to assimilate with the white race, but no one but a Southern man can appreciate the extent of that danger. If we hope for success of our institutions; if we wish to escape disasters greater than those inflicted by the war, there is, in my judgment, but one preventive, & that is the removal of the negro from America. This is practicable, & if you will read a work called an 'Appeal to Pharoah,' I think that you will agree to the conclusions therein stated. I claim to be a great friend of the colored people, & it is in their interests as well as in those of my own race, that I advocate their removal from this country. If the thoughtful & patriotic men of both races can be brought to recognize the necessity of this movement, there will be no difficulty in making it successful. But I only write to thank you for the papers you sent to me & to urge you to use your great influence in helping to solve the most momentous problem ever given to a people for solution. I am, Very Resp'y & truly yrs, Wade Hampton."

It may be added that Judge Doolittle was also a strong advocate of colonization.

COOPER'S INDIAN LORE VERIFIED

"Leather-stocking" is verified and Fenimore Cooper is vindicated. Their substantiation comes, through the Census Bureau, from far-away Alaska. This substantiation is found in a report from Chief Census Agent McKenzie telling all about the taking of the census in the Fairbanks district. Mr. McKenzie gives assurance that the Indians do measure time by the "snows" and "suns" and distances by "sleeps." Indeed, he asserts that they have no other standards of time or of measurement, and in relating the fact he cites an instance which throws no little light on the difficulties of enumerating the red men.

"Only the very young children who have been in the government schools," he says, "have any knowledge of their ages or

births, and the agents were instructed to use the age and birth months as nearly as talk and observation would make them seem correct." Time with them is computed by "suns" and "snows," and distances by "sleeps." "Marriages, separations, births, and deaths are all based upon such calculations, and we were obliged to base our information in the same way."

He then gives this instance:

"An Indian buck claimed to have lived '200 snows.' After much talk and use of the sign language it was determined that he was about eighty years old. He was found to have been 'twenty snows' old when he 'got his first woman'; to have kept her 'four snows, when she got away'; that he 'got more woman and keep her five snows, and she die'; that he 'got no woman for twenty snows more,' and finally that he 'got young chicken and keep her all time ever since, now on, twenty-five or thirty snows.' "

FRANKLIN AS A SOLDIER

A remarkably fine letter of Benjamin Franklin, written in 1764 to Dr. Fothergill of England, who, at the outbreak of the American Revolution, assisted him to draw up a scheme of reconciliation with the American Colonies, was recently sold in London. Franklin begins his letter by twitting Dr. Fothergill on his "constant warfare against the Plans of Providence," by saving vicious and worthless lives through his medical skill.

He then goes on in a serious strain to discuss the troubles in Philadelphia, the anti-Quaker riots, and the weakness of the Proprietary Government. It will be recalled that during the critical time Franklin bore a musket himself as an example of obedience. He further tells Dr. Franklin:

Within four and twenty hours your old friend was a common soldier, a counsellor, a kind of Dictator, an Ambassador to the country mob. In fine, everything seems in this country, once the Land of Peace and Order, to be running fast into Anarchy and confusion. Our only hopes are that the Crown will see the necessity of taking the Government into its own hands, without which we shall soon have no Government at all. Your civil dissensions at home give us here great concern. But we hope to support a

good Prince in the execution of good Government, and the exercise of his just prerogative against all the attempts of unreasonable faction.

The Prince, to whom Franklin thus refers, was George III who, on the death of George II, in 1760, had succeeded to the throne. The dissensions of which Franklin speaks, were the public's discontent with George III's Minister Bute, whose influence over the King was jeered at in many places. A year after Franklin's letter was written the Stamp Act became a law.

OTHER REVOLUTIONARY NOTABILIA

Other letters of interest to American collectors turned up in the sale. One of them was a letter from John Adams, Amsterdam, April 30, 1782, to John Bondfield, in which he says:

It is with pleasure I am able to inform you that the sovereignty of the United States of America has been acknowledged in the most solemn, unanimous, and glorious manner by the bodies of artisans, merchants, citizens, and colleges, by the cities, provinces, States General, Prince and Princess of Orange, &c.

In a letter to Philip Mazzei of Paris, James Madison, writing from New York, Oct. 8, 1788, says:

You ask me why I agreed to the Constitution proposed by the convention at Philadelphia. I answer, because I thought it safe to the liberties of the people, and the best that could be obtained from the jarring interests of States and the miscellaneous opinions of politicians; and because experience has proved that the real danger to America and to liberty lies in the defect of energy and stability in the present establishment of the United States.

In an important letter to Mayor Bailly of Paris, the Marquis de Lafayette, July 23, 1789, says that he was appointed by the confidence of the citizens to the military command of the capital that he will devote himself to the interests of the people till his last breath, but is incapable of buying their favor by yielding to

unjust demands; that the people have not listened to his advice, and that the moment he feels he has not got their confidence he will give up a post in which he can be useful no longer.

In the same collection was a letter of George Washington, dated Alexandria, Aug. 18, 1772, to the Rev. Mrs. Boucher, of Maryland. Washington writes:

Harvest, company, and one thing or another, equally unforeseen and unavoidable, has hitherto prevented Mrs. Washington and myself from paying our respects to Mrs. Boucher and you, but if nothing happens more than we at present know of you may expect to see us the first week in September, perhaps the middle of it.

DICKENS ON AMERICAN SLAVERY

Two letters of Charles Dickens, explaining his position on the anti-slavery question, were sold in London in July. One of them, dated Tavistock House, Dec. 20, 1852, after stating that his views on the subject have been much misunderstood, reads in part:

Mrs. Jelleby gives offence merely because the word Africa is unfortunately associated with her wild hobby. No kind of reference to slavery is made or intended in that connection. *

* * It is one of the main vices of this time to ride objects to death through mud and mire, and to have a great deal of talking about them and not a great deal of doing—to neglect private duties associated with no particular excitement.

Dickens thus alludes to his article on Slavery in Household Words:

There is this emphatic conclusion—Americans might so abolish slavery as to produce, with little or no cost—probably with profit to themselves—results incomparably greater than have been attained by England with a vast expenditure of money.

He expresses admiration of Mrs. Stowe's "Uncle Tom's Cabin," but says that he believes the best way of helping the

wretched slaves is not by too fiery a denunciation of the slave owners, who would only be confirmed in their pride and obstinacy.

CELEBRATING JOHN BROWN'S DAY

Ex-President Roosevelt went to Osawatomie, Kas., on August 31, to assist in the celebration of John Brown's Day and to dedicate as a park the historic battlefield of Osawatomie where John Brown and his force of the Anti-Slavery League first assembled. In the morning Colonel Roosevelt visited John Brown's old cabin, situated about a mile and a half northeast of the town, and, during the afternoon, the battleground was dedicated as a State park. Seated upon the platform, during the dedication exercises, were five survivors of the battle of Osawatomie.

TO PURCHASE THE COLUMBUS HOUSE

A party of Knights of Columbus, together with about two hundred Americans, visited the monument of Columbus at Genoa, Italy, on August 17. Dr. John Buckley of New York, on behalf of the knights, placed a wreath of laurel and palm at the foot of the monument. The party also visited the house where Columbus was born. There is a plan on foot for the purchase of the house by the Knights of Columbus and its transformation into a shrine of international interest. This is the first party of knights to visit the birthplace of the patron of their order.

TRINITY CHURCH TRANSFERS HISTORIC LAND

The recording of a conveyance vesting title to the block bounded by Greenwich, Washington, Morton, and Barrow streets, in New York City, to James H. Cruikshank marks the passing of a portion of the original tract obtained by Trinity Corporation through the grant to it made by Queen Anne of England more than two centuries ago. Moreover, the transfer is of interest in that besides being a part of the first land owned by Trinity Church in the United States, it is the largest piece

the church has ever disposed of by sale. Its policy up to a few years ago had been to part with its real estate only under twenty-one-year leases.

The block Mr. Cruikshank has just acquired has upon the Greenwich Street frontage a row of two-story frame buildings with brick fronts, which at one time were fashionable dwellings, but now dilapidated remnants of the type of home construction that prevailed more than a century ago. These landmarks, with their peaked roofs, will soon be but a memory, for plans are about ready for the erection of four eight-story loft buildings.

DID WASHINGTON SWEAR?

The oft repeated story of Washington's profanity at the battle of Monmouth is denied in Marion Harland's autobiography on the authority of a Revolutionary veteran, Stirling Smith by name, who was uncle to Marion Harland's grandfather.

"He did not swear," the veteran would thunder when irreverent youngsters retailed the slander in his hearing. "I was close behind him, and I can tell you, sir, we rode fast, when what should we meet running away lickety split from the field of battle with the British almost at their heels but Gen'ral Lee and his men.

"Then, with that, says Gen'ral Washington, speaking out loud and sharp, says he, 'Gen'ral Lee, in God's name what is the meaning of this ill timed prudence?'

"Now, you see, Gen'ral Lee he was mighty high spirited. So he speaks up as haughty as the General had done and says he: 'I know of no one who has more of that most damnable virtue than your Excellency.'

"So you see, young man, it was Gen'ral Lee that swore and not Gen'ral Washington. Don't you ever let me hear that lie again."

FRENEAU HEIRLOOMS MISSING

Edward S. Frenean, of Jersey City, N. J., the great-grandson of Philip Freneau, and John T. Robinson, of Elmhurst, Long

Island, has been disappointed in his quest of heirlooms in the home of the late Mary Hammel, granddaughter of the Revolutionary poet, in Walnut street, Winfield, Long Island. Miss Hammel, who died on August 13, had lived the greater part of the period from 1879 till her death in this house.

Among the treasures formerly in the Winfield house, which came to Miss Hammel and her sisters from the estate of Philip Freneau, was his portrait. The absence of the picture and other property from the dwelling throws additional light on a sad feature of Miss Hammel's life. Not long after she went to Winfield with her sisters, Margaret and Katherine, they died, and she fell under the influence of some one who induced her to part with almost all that she owned. It is believed that many of the things which Freneau was looking for were taken away about that time.

None of the antique furniture of the Hammel family was found in the house, nor was there a trace of any of the documents, including manuscripts in the controversy between Washington and Freneau that were thought to have passed into the hands of the Hammel sisters after the death of their father and mother.

A GROVER CLEVELAND TOWER

The Cleveland Monument Association, whose purpose is to erect at Princeton "a nation's memorial in perpetuation of the memory of Grover Cleveland," has issued an appeal for funds to complete the \$100,000 required to do its work. The circular through which the appeal is made asks the cooperation of all those who appreciate the "unselfish, patriotic and courageous work of Grover Cleveland." The list of the association's trustees includes many prominent New Jersey citizens of both political parties and men of high standing and varying political beliefs throughout the East, middle West and South.

The trustees say that they "have deemed it eminently fitting that the life and deeds of this great man should be commemorated through the medium of a suitable monument to be erected at Princeton, N. J., where his declining years were passed in a

dignified effort to establish a high standard of citizenship, thus giving the benefit of his wide experience and ripe thought to growing generations."

The adopted plan of the memorial monument is a lofty tower to be erected in connection with the proposed graduate school of Princeton University and located on what is known as the golf links, a site commanding a wide sweep of country, from which the tower will be distinctly visible.

VIRGINIA IN 1584-1624

A copy of the first edition of "The Generall Historie of Virginia, New England, and the Summer Isles, with the Names of the Adventurers, Planters, and Governours, from their first beginning, anno 1584, to this present 1624," by Capt. John Smith, brought \$240 at Sotheby's in London recently. It is a small folio, published in London in 1624, and is in binding by F. Bedford. It has the fine original engraved title by John Barra, containing portraits of Queen Elizabeth, King James, and Prince Charles, coat of arms, etc.; original maps by William Hole; "Ould Virginia," with compartments of events in Capt. Smith's life; "The Summer Ils," (sic.) with parts in compartments, and New England, with portrait of Smith by S. Pass. The book is slightly defective, wanting the portrait of the Duchess of Richmond.

AN OLD PENNSYLVANIA TAVERN

The old Stone House at the junction of the Franklin and Pittsburg pike with the Erie and Pittsburg pike is one of the noted historic spots in Butler county. Half a century ago the great stage coaches over these noted highways put up at the Stone House for the night. Buckwheat cakes, honey, country ham, sausage, Indian mush, doughnuts, roasted potatoes and mince and custard pies formed the larger part of the menu at this noted hostelry.

The building was erected in 1819 and is still occupied. It stands at the cross-roads and is surrounded almost entirely by a dense forest. It was the first house built possibly, on a thousand acre

tract of land taken up by the McClure family and is still in their name.

There are many wild and weird stories connected with the famous house which the old people in the neighborhood tell, but they lack the element which make them true history. However, it is not too much to say that previous to the civil war strangers were known to enter the old Stone House who were never again seen. These were in the days of counterfeiters, stage coach travel, open gambling and open barrooms.

NOVEMBER, 1910

AMERICANA

CONTENTS

	PAGE
The New Political Creed of Theodore Roosevelt. As reflected in his recent utterances	985
How Our Ancestors Observed Thanksgiving Day. By Helen Harcourt	992
The Scot in New England and the Maritime Provinces. Part VI. By John Calder Gordon	997
The Varian House, Scarsdale. By Lyman Horace Weeks	1012
Little Wars of the Republic. Part IV. The War With the Barbary Pirates. By John R. Meader	1017
William Tryon. The Last British Governor of New York. By Wm. S. Pelletreau, M. A.	1026
History of the Mormon Church. Chapters XXX and XXXI. By Brigham H. Roberts	1028
Heraldic Considerations. The Imperial Succession. By the Viscount de Fronsac	1067
Historic Views and Reviews	1086

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THEODORE ROOSEVELT

A Characteristic Photograph of the Ex-President

AMERICANA

November, 1910

THE NEW POLITICAL CREED OF THEODORE ROOSEVELT

AS REFLECTED IN HIS RECENT UTTERANCES

THEODORE ROOSEVELT, in his recent tour of the West, has shown the country both the old Roosevelt—he of the rip-roaring political campaign—and a new Roosevelt, with new ideas, new policies and new principles. He has committed himself to measures which have a large significance. Some of his recent addresses have been characterized as epoch-making. Therefore it may be of interest to note specifically these new developments in the political creed of the foremost man in American private life today.

Summed up the principles to which the ex-president has committed himself in his recent utterances are no less than eighteen in number. He has declared himself in favor of:

1. Elimination of special interests from politics.
2. Complete and effective publicity of corporation affairs.
3. Passage of laws prohibiting the use of corporate funds directly or indirectly for political purposes.
4. Government supervision of the capitalization not only of public service corporations, but of all corporations doing an interstate business.
5. Personal responsibility of officers and directors of corporations that break the law.
6. Increased power of the Federal Bureau of Corporations and the Interstate Commerce Commission to control industry more effectively.
7. Revision of the tariff, one schedule at a time, on the basis of information furnished by an expert tariff commission.

8. Graduated income tax and graduated inheritance tax.
9. Readjustment of the country's financial system in such a way as to prevent repetition of periodical financial panics.
10. Maintenance of an efficient Army and Navy, large enough to insure the respect of other nations as a guarantee of peace.
11. Use of national resources for the benefit of all the people.
12. Extension of the work of the Department of Agriculture, of the National and State Governments and of agricultural colleges and experiment stations so as to take in all phases of life on the farm.
13. Regulation of the terms and conditions of labor by means of comprehensive workmen's compensation acts; State and national laws to regulate child labor and the work of women; enforcement of better sanitation conditions for workers, and extension of the use of safety appliances in industry and commerce, both in and between the States.
14. Clear division of authority between the National and the various State Governments.
15. Direct primaries, associated with corrupt practices acts.
16. Publicity of campaign contributions not only before election, but after election as well.
17. Prompt removal of unfaithful and incompetent public servants.
18. Provisions against the performance of any service for interstate corporations or the reception of any compensation from such corporations by national officers.

The biggest issue, however, which ex-president Roosevelt has raised centres about the apt praise, "The New Nationalism." In his own words:—

"The new nationalism puts the national need before sectional or personal advantage. It is impatient of the utter confusion that results from local Legislatures attempting to treat national issues as local issues. It is still more impatient of the impotence which springs from the over-division of Government powers, the impotence which makes it possible for local selfishness or for legal cunning, lured by wealthy special interests, to bring national activities to a deadlock.

“This new nationalism regards the executive power as the steward of the public welfare. It demands of the judiciary that it shall be interested primarily in human welfare rather than in property, just as it demands that the representative body shall represent all the people, rather than any one class or section of the people.”

In these sentences he has summed up an issue which distinctly recalls the old issue of states rights. It may prove to have as important a part in the nation's development.

Some of the most striking passages from Mr. Roosevelt's recent declarations of principles are given herewith:—

“The true friend of property, the true conservative, is he who insists that property shall be the servant and not the master of the commonwealth; who insists that the creature of man's making shall be the servant and not the master of the man who made it. The citizens of the United States must effectively control the mighty commercial forces which they have themselves called into being.

“There can be no effective control of corporations while their political activity remains. To put an end to it will be neither a short nor an easy task, but it can be done.

“We must have complete and effective publicity of corporate affairs, so that the people may know beyond peradventure whether the corporations obey the law and whether their management entitles them to the confidence of the public. It is necessary that laws should be passed to prohibit the use of corporate funds directly or indirectly for political purposes; it is still more necessary that such laws should be thoroughly enforced.

“It has become entirely clear that we must have Government supervision of the capitalization not only of public service corporations, including particularly railways, but of all corporations doing an interstate business. I do not wish to see the nation forced into ownership of the railways if it can possibly be avoided, and the only alternative is thorough-going and effective regulation which shall be based on a full knowledge of all the facts, including a physical valuation of the property. This

physical valuation is not needed, or at least is very rarely needed, for fixing rates; but it is needed as the basis of honest capitalization.

"We have come to recognize that franchises should never be granted except for a limited time, and never without proper provision for compensation to the public. It is my personal belief that the same kind and degree of control and supervision which should be exercised over public service corporations should be extended also to combinations which control necessities of life, such as meat, oil and coal, or which deal in them on an important scale.

"I believe that the officers, and especially the directors, of corporations should be held personally responsible when any corporation breaks the law.

"Combinations in industry are the result of an imperative economic law which cannot be repealed by political legislation. The effort at prohibiting all combination has substantially failed. The way out lies not in attempting to prevent such combinations, but in completely controlling them in the interest of the public welfare. For that purpose the Federal Bureau of Corporations is an agency of the first importance. Its power and therefore its efficiency, as well as that of the Interstate Commerce Commission should be largely increased."

"If our political institutions were perfect, they would absolutely prevent the political domination of money in any part of our affairs. We need to make our political representatives more quickly and sensitively responsive to the people whose servants they are. More direct action by the people in their own affairs under proper safeguards is vitally necessary.

"The direct primary is a step in this direction if it is associated with a corrupt practices act effective to prevent the advantage of the man willing recklessly and unscrupulously to spend money over his more honest competitor. It is particularly important that all moneys received or expended for campaign purposes should be publicly accounted for not only after election but before election as well.

"Political action must be made simpler, easier, and freer

from confusion for every citizen. I believe that the prompt removal of unfaithful or incompetent public servants should be made easy and sure in whatever way experience shall show to be more expedient in any given class of cases.

“One of the fundamental necessities in a representative government such as ours is to make certain that the men to whom the people delegate their power shall serve the people by whom they are elected, and not the special interests. I believe that every national officer, elected or appointed, should be forbidden to perform any service or receive any compensation directly or indirectly from interstate corporations; and a similar provision could not fail to be useful with the States.

“The object of government is the welfare of the people. The material progress and prosperity of a nation are desirable chiefly so far as they lead to the moral and material welfare of all good citizens. Just in proportion as the average man and woman are honest, capable of sound judgment and high ideals, active in public affairs—but first of all sound in their home life, and the father and mother of healthy children—just so far and no farther we may count our civilization a success.

“We must have—I believe we already have—a genuine and permanent moral awakening, without which no wisdom of legislation or administration really means anything; and on the other hand, we must try to secure the social and economic legislation without which any improvement due to purely moral agitation is necessarily evanescent. What we need is good citizens. Good citizenship means progress; and therefore all good citizens should stand for progress, and must be progressive.

“Our duty is to war with equal sternness against the corrupt man of great wealth and the small man who makes a trade of corruption: Our fight is against both the swindling corporation and the blackmailing or bribe-taking politician.

“I believe that the great issue before the people is the doing away with special privilege in all its forms; doing away with the power of the big corporation to control legislation in its interests and to interfere in politics in order to secure privileges to which it is not entitled.

“The people of this country will get justice from the corporations only if they both do justice to them and rigidly exact it from them. Unless they do justice to rich men, they put a premium upon dishonesty among rich men. Let us hold them to the strictest accountability for any wrongdoing; but let us insist upon honesty in our own ranks, no less than theirs; let us war upon crookedness of every kind in the man of small means as well as the man of large means. Let us judge each man by his conduct and not by his social or financial condition.”

“Any man in his senses knows that that there are plenty of corporations in this country who prosper by bribing legislatures just as they prosper by swindling the public; and any man in his senses ought to know, in addition, that there are plenty of corrupt men of small means who, in legislative or other bodies, try to blackmail corporations—and try to blackmail other people as well. If they doubt this, let them look at the revelations of corruption in my own State—New York—and in yours, my hearers—here in Missouri; let them look at what has occurred in California and what has occurred in Illinois. In Illinois, for instance, one of the rascalities developed by the recent investigation was the existence of a combination of legislators who blackmailed fishermen along a certain river, forcing them to pay to prevent legislation which would have interfered with their business.

“Now, scoundrels who do these kinds of things are, of course, the very men who, on the one hand, will blackmail a corporation, if they get a chance, and, on the other hand, will cheerfully, if the chance occurs, sell themselves to that corporation against the interests of the public. Their corruption is no more due to the action of the corporations than the corruption of the corporations is due to their action; and evil, and not good, is done by the honest but misguided man who would persuade you that either fact is true. Our duty is to war with equal sternness against the corrupt man of great wealth and the small man who makes a trade of corruption; our fight is against both the swindling corporation and the blackmailing or bribe-taking politician.

“We cannot afford to limit a campaign against corruption to

those who happen to have a certain social status. We need laws which shall put the corporation out of business, so far as concerns corrupting the servants of the public and betraying the rights of the public I believe that the great issue now before the people is the doing away with special privilege in all its forms; doing away with the power of the big corporation to control legislation in its interests and to interfere in politics in order to secure privileges to which it is not entitled."

HOW OUR ANCESTORS OBSERVED THANKSGIVING DAY

BY HELEN HARCOURT

THE old-fashioned Thanksgiving Day had many simple charms of its own that are lacking in the more modern celebrations. Solemn and sincere as are the religious services, and joyous the family reunions of today, there was a spirit in the old-time festival that we seldom find in the more stately observances of the present.

Our grandmothers and great-grandmothers anticipated the coming of the festive day as one of the greatest annual events, and celebrated its arrival in as royal a style as their circumstances would permit. Children and grandchildren and great-grandchildren, with "aunts and cousins by the dozens" were bidden to the old family homestead where reigned for that great day at least, mirth, and frolic, and feasting.

But first came the religious service of giving thanks which marked the day for its own. Everybody went to church in those days, young and old, excepting only the sick or infirm. But, of course, the big dinner had to be "minded," and so, if there were no competent stay-at-homes in the family circle, an outsider was brought into service to see that the fires were kept up, and the necessary preliminaries attended to. To be sure, there was seldom much to do, for everything possible was planned and executed the day before, and the dinner left so nearly ready that it did not take long to complete the preparations for the feast. Even the turkeys and chickens were dressed several days ahead of time if the weather was cold. The cakes and pies and puddings were baked, and every possible arrangement made so that there could be no hitch in serving the good Thanksgiving dinner.

There were no dainty "menus" in those days; the very word would have been a mystery to nine out of ten of our ancestors. No family crests or coats of arms were in evidence, for in those days of primitive customs not one family in five hundred knew or cared whether it was entitled to a crest, or even knew what they meant.

But there were plenty of turkeys always—big, fat birds which had fallen victims to the famous fiat of Alexander Hamilton that "No citizen of the United States should refrain from turkey on Thanksgiving Day." And, of chickens, a legion,—fried, roasted, stewed, baked or broiled, and some in a toothsome pie of wonderful size and decoration. And in the midst lay the dear little pig roasted to a beautiful brown, with a bright red apple or red ear of corn in its open mouth by way of tantalus to its watching ghost.

Then, there were golden pumpkin and delicious mince pies baked to a nicety in the big brick out-door oven; the plum pudding made from a famous ancestral recipe, and set aflame at the critical moment in a baptism of brandy. Also, there were nuts and apples and grapes and raisins, with plenty of cider,—clear, sparkling cider, fresh from the press. Preserves and jellies and home-made candies in unlimited quantities were especially appreciated by the younger guests.

The table linen was odorous of sweet lavender, and it was always the Sunday cloth that was spread on Thanksgiving Day. Napkins were an unknown luxury, but everyone was provided with a dainty handkerchief for the purpose of wiping the fingers and mouth. A bright pewter platter filled with bright red apples formed the centerpiece, flanked on either side by the old-fashioned little East India ginger jars, and a host of other goodies.

After the feast came the "afterclap" of fun and frolic and poetical fervor. The songs that were sung, usually without piano, harp, or guitar, always had a chorus in which all joined without rhyme or rythm, but with a hearty good will that bespoke the enjoyment of the singers. There was one old song that was ever the prime favorite, consisting of some twenty-two verses, and this was the chorus.

“There’s Jedediah and Zachariah,
And all the children living;
There’s Anna Maria and Jane Sophia,
A-coming to our Thanksgiving.”

It was a rousing chorus, and was frequently accompanied by a clapping of hands and a stamping of feet, for the more noise it made the better.

The boys and girls had lots of fun cracking nuts on the hearth before the big fireplace with its gleaming brass andirons, and maple candy was made by boiling the toothsome syrup and cooling it in the pure, white snow.

Games were also in order; blindman’s buff, hunt the slipper, spin the plate, and similar innocent games furnished fun for young and old. But bye and bye, about the middle of the afternoon, came the reluctant good-byes, for many of the guests lived at a distance and must get home before “milking time.” Then the host and hostess, well wrapped up if the weather was cold, as it usually was, came out to the door-yard to speed the parting guest by tucking the carriage robes around their feet, which rested on the heated bricks or soapstone which had been in the oven ever since it was vacated by the turkeys and other meats.

Such was the old-fashioned Thanksgiving feast as it was ultimately evolved from the first solemn celebration of the Pilgrim fathers at Plymouth in November, 1621. The day of thanksgiving was kept at first in a solemn and unattractive manner, but as the battle for life became easier, it developed into a joyous, rather than a solemn occasion, as indeed it naturally should be. In the earliest days of Thanksgiving, when it was a State and not a national holiday, there were two church services, and the dinner was crowded in between like a very flat sandwich, but as time passed on, the second, or afternoon service, was dropped, and the big dinner leisurely enjoyed.

The hours for meals were at sunrise, noon and sunset, and when the “meeting-house” bell rang the curfew at nine o’clock, all the lights soon went out, and the people in their beds. Materials for the big Thanksgiving dinners were not always easy to procure, and sometimes they were altogether missing. On one recorded occasion a New England village postponed

Thanksgiving Day for a week by a town vote, because molasses was scarce.

Queer things sometimes happened at Thanksgiving dinners, as this, for instance. In the journal of a Connecticut clergyman of 1714 we read of his attendance of a bountiful Thanksgiving dinner given by a Mr. Epes to the town council, at which bear meat, turkey and venison figured largely on the table.

"The last of which (the venison)," he writes, "was a fine buck shot in the woods near by. After ye blessing was craved, word came that ye buck was shot on ye Lord's Day by Pequot, an Indian, who came to Mr. Epes with a lye in his mouth, like Ananias of old. Ye council therefore refused to eath ye venison, but it was afterwards decided that Pequot should receive forty stripes for lying and profaning the Lord's Day, and restore Mr. Epes ye price of ye deer. And considering this just and righteous sentence on ye sinful heathen, and that a blessing had been craved on ye meat, ye council all partook of it but Mr. Shepard, whose conscience was tender on ye point of ye venison."

Again—and here too, a minister is to the fore, one of the Puritan type—the Rev. Mr. Stebbins was very much exercised in his mind because of what he called the "vanity and worldliness" of his good wife, insomuch that when a new bonnet or gown or bit of lace was required, he subjected her to sundry lectures and humiliations, regardless of who might be present during his tongue-lashings.

Once upon a time, determined to replace her old bonnet with a new one for the Thanksgiving services, the good dame quietly put its price in with a bill for a chest of drawers which her husband had ordered for his own benefit, although he rebelled somewhat at its apparent cost.

The worthy dame made it a point not to be ready to start for the meeting-house with the minister, and he was deep in the exposition of the Scriptures when she entered the building. Judge then, of her consternation and confusion when he stopped abruptly, and said, as she advanced up the aisle, "Dearly beloved, behold Mrs. Stebbins with a chest of drawers on her head!"

Thanksgiving day was to the young, in the early colonial

times, what June is at the present—a favorite season for marriages. Those were primitive times, it is true, but let no one suppose that the bride and groom wore homespun or cobbleshoes. On the contrary, the bride was arrayed in white satin, and carried a rich lace handkerchief, a bosom-pin of a miniature set in gold adorned her neck, and her little feet were cased in white kid slippers with glittering buckles. As to the groom, he was resplendent with his powdered hair twisted into a queue, his smooth purple or black or crimson coat, snowy frills of lace at bosom and wrists, white or gay colored knee breeches, and white silk stockings and shining pumps.

Those, too, were the days when the church was called the “meeting-house,” and when no musical instrument was allowed except the drum, trumpet and jews-harp. Psalm singing was the only music, the psalms being “lined out” to the people, who sang each line as it was given them. Even so late as a century ago, the introduction of trained choirs was violently opposed by many ministers.

Chief among these opponents in Portsmouth, New Hampshire, was a certain Rev. Mr. Strong. But he was once voted down by the more progressive members of his congregation, and a choir of the young people was organized. Its first public appearance—and its last one,—was at the Thanksgiving service. The disgruntled minister listened with ostentatiously closed eyes while the choir sang the psalm that had been given out, to a new-fangled and “irreligious tune.”

As the last notes died away, the beloved, but crusty old minister rose and leaning far over the pulpit, beckoned to the whole congregation with outstretched arms, and exclaimed in a voice that trembled with emotion and earnestness, “Now let the people of God sing!” Then he led off himself with a good, old-fashioned psalm tune, in which his flock joined with right hearty good will.

The “singing-seats” were quietly and quickly vacated by the discomfited choir, and then and there ended the attempt in that meeting-house to introduce the “new-fangled choir singing” during the life-long ministrations of the Rev. Mr. Strong.

THE SCOT IN NEW ENGLAND

BY JOHN CALDON GORDON

PART VI

The Kirks and Newfoundland

DAVID, Lewis and Thomas Kirk, born in France and sympathizers with the French Huguenots, now come upon the scene in 1628. They were bold and skillful navigators, having made several voyages to the new world and were therefore in a position from practical experience and family connections in France to render Sir William Alexander invaluable aid in his colonization enterprise.

Gervase (or Jarvis) Kirk, the father, was an enterprising and sagacious merchant engaged in exporting and importing between Britain and the Continent, through which he had acquired wealth and influence. He had offices and warehouses in London and in Dieppe, France, and in the latter place his children were born, —five sons, David, Lewis, Thomas, John and James, and two daughters, Elizabeth and Mary. The elder Kirk was a Scot and married a French woman.

Some years previous to the Kirks coming under the auspices of Sir William Alexander, Kirk senior had been one of the most active of the original so-called "Merchant Adventurers," associated for the purpose of trading for fish and furs in America. In this enterprise his three sons, David, Lewis and Thomas, had made many voyages to the new world, and they had become thoroughly convinced that if British interests were to be maintained in America and New Scotland, bold and aggressive measures must be instituted forthwith against the French. Captain David Kirk brought the information to Alexander that the latter's activities in new world affairs had aroused the French to reassert their claim to Acadia (Nova Scotia). The French govern-

ment inspired by Richelieu, the great cardinal-statesman, and under his auspices had formed a new and powerful association known as the Company of New France, composed of one hundred of the leading men of the nation, including Samuel de Champlain.

It was the purpose of Richlieu to introduce a feudal state and create a Canadian Noblesse, a class of honor, a colonial aristocracy, having many of the features of the Frankish chivalry "formed by the hand of God," after whose feudal patron and nature of fealty it was modeled, thus laying the foundation of that seigneurial tenure which continued for two and a quarter centuries. No protestant or hugenot thenceforth was to be permitted to enter New France under any condition. The stranger and heretic was to be banished and only native Frenchmen and Roman Catholics were to live on the soil.

They were to send out and settle at once a large body of immigrants to be followed by at least one thousand persons every year for the next succeeding fifteen years. The King contributed two vessels to this first expedition. Captain David Kirk appealed to Alexander as the sole civil authority of Scottish interests, which included as well all British interests, in that part of North America, to cooperate with them in taking active measures to drive out the French.

After many conferences on the subject a new and strong trading company was formed in 1628, composed of Sir William Alexander and the Kirks with some other of the heads of the leading Scottish families. Captain David Kirk outlined a plan to circumvent the French if placed in command of a fleet to be raised by Alexander. A royal commission was soon granted constituting Captain David Kirk deputy-admiral of New Scotland and delegating to him all the powers of his chief. He was authorized to "seize vessels belonging to the King of Spain, the Infanta Isabella, or others, of the King's enemies."

It should be remembered, in this connection, that at this time Britain had no navy worthy of the name. At the time of the Spanish Armada Britain could only muster thirteen ships in her navy. The fleet that so successfully defeated the Spanish three-deckers in the English channel were armed merchantmen.

Furthermore, the government at this time was not in a position to subsidize colonization enterprises.

In a brief time, the new company got together three vessels, which were well equipped for conflict, and which sailed early in the spring of 1628 in command of Admiral David Kirk. In due time this small fleet arrived off the coast of Newfoundland and there awaited the coming of the French squadron, of whose departure from France in April Kirk had been advised. Becoming tired of waiting and thirsting for action, Kirk made a reconnoitering expedition along the coasts of Nova Scotia and the Gulf of St. Lawrence in search of French settlements where he discovered several, destroying their forts and announcing that this was British territory. Shortly thereafter, Kirk sighted the French fleet in the waters of the Gulf of St. Lawrence. Before proceeding to attack the Frenchmen, Kirk, desiring to spare bloodshed, sent a polite message to the French admiral, M. de Roquemont, informing him of his commission from the King of England and demanding him to surrender. The French admiral returned a sharp refusal to Kirk's invitation to surrender, after receiving which Kirk and his two brothers attacked the French squadron, capturing eighteen ships and 138 pieces of ordnance intended for the fortification of Quebec and Port Royal, the Scots colony. After this battle, Admiral Kirk sent ten of the vessels captured from the French laden with valuable stores to Newfoundland to await subsequent disposition.

The Kirks were evidently destined to play an historic part in new world affairs at this juncture. Shortly after the capture of the French fleet, Admiral David Kirk appeared before the fort of Quebec and summoned Champlain to surrender. The French leader and his followers were in a critical condition, suffering greatly from disease and lack of provisions. Notwithstanding this, Champlain believed in "whistling to keep his courage up" for he sent back to Kirk a stern note of defiance. Kirk, evidently ignorant of the weakened condition of the garrison and considering his force insufficient to take the citadel, did not attack Quebec at this time. Leaving Quebec, he returned to England, having on board the French admiral de Roquemont and Claude La Tour and other Frenchmen of high station. La Tour's son,

Charles, was the leader of the French remaining in the neighborhood of the Annapolis basin (Port Royal) when the Scots arrived and who had made the acquaintance of Sir William Alexander, Jr., there. Shortly after the arrival of La Tour in England as a prisoner of war, he was brought to the notice of Sir William Alexander, Sr., who secured his release and later presented him at court, where he obtained the confidence of high persons, married one of the maids of honor of Queen Henrietta, a relative of Sir William Alexander, took the oath of allegiance to Great Britain, was created a baronet of Nova Scotia, while a similar honor was granted to his son. On the 30th of April, 1630, Sir Claude received from Alexander a grant to himself and his son, Charles, consisting of "all the country, coasts, islands from the cape and river of Ingogon (Chegoggin), near unto the cloven cape (Cape Forchu) in the said New Scotland, called the coast and country of Accadye, following the coast and islands of the said country towards the east, unto the port De La Tour, formerly named L'Omeray (Lomeron), and further beyond the said port, following along the said coast unto Mirliguesche (Lunenburg) "a territory comprising nearly half of the present county of Yarmouth, the counties of Shelburne and Queen's and about half the county of Lunenburg. This was to be divided into two equal parts to be held by the father and son on their promise "to be good and faithful vassals of the Sovereign Lord the King of Scotland, and to give unto him all obedience and assistance to the reducing of the people of the country."

LaTour, the elder, had already sworn allegiance to the British sovereign and Sir William Alexander and had promised the same for his son. Shortly thereafter, (May, 1630) Sir Claude was placed in command of two armed vessels, provided by Alexander, and laden with two hundred Scottish colonists and supplies proceeded to New Scotland. Upon arriving, he immediately sought an interview with his son, Charles, at Port La Tour, informing him of the position he had assumed under British authority, of the baronetcy conferred upon himself and his son and of the grant of land given. Charles, however, refused to accept the title and would not take the oath of allegiance required; whereupon, the father sailed for the Scottish colony

at Granville, disembarked the colonists and joined in the work of the settlers. A few months thereafter, the French government sent out two ships with men and arms for the relief and support of Charles La Tour at Port La Tour, as to the use of which he was given full discretion. Charles forthwith established communication with his father at Granville and finally induced him to desert his Scottish friends and take up his quarters at Port La Tour under the French flag, which the elder La Tour evidently had no scruples in assenting to. The King of France commended the staunch loyalty of Charles La Tour by appointing him the king's lieutenant general in Acadia. The original commission of this appointment, found some fifteen or twenty years ago, is now in the custody of the Society of Colonial Wars of Massachusetts. In April, 1631, the French government sent another vessel laden with supplies and ammunition to Charles La Tour. This vessel on the return voyage to France carried as envoy *Sieur de Krainguille*, the chief lieutenant of Charles La Tour, who reported to the French government that the Scotch were in full possession of Port Royal and were making all necessary preparations for a permanent settlement, having brought their families and cattle there.

The success of Admiral Kirk aroused the cupidity of certain English adventurers who sought at court the sole right of trafficking with the new Scottish colony. To defeat their efforts Sir William Alexander, Jr., returned to Britain, Nov. 16, 1628, and reported to his father the result of his voyage and the information obtained. Sir William Alexander, Sr., immediately communicated with the Scottish Privy Council, entreating their cooperation and support in restraining these adventurers. Thereupon on Nov. 28, 1628, that body addressed a memorial to the king setting forth that a petition had been presented to them in the name of "Some interested in New Scotland and Canada, showing that they had adventured sums of money for setting forth of a colony to plant there, and that they understood that by reason of Admiral Kirk's and Sir William Alexander's recent voyages thither, there are some making suit for a new patent to be held of the crown of England." The Council desired that the original grant to Sir William Alexander and the under-

takers under his authority should be confirmed "and that nothing should be done derogatory to their ancient kingdom." The English adventurers were thus frustrated and a patent was granted to Sir William Alexander, Jr., and some others, incorporating them as the sole traders "in the Gulf and river of Canada," while all others were prohibited from making any voyage into the said gulf or river, upon pain of confiscation. Sir William the younger was also authorized to "make prize of all French or Spanish ships and goods at sea or land, and to displant the French." This royal patent was accompanied with a special commission to Sir William, Jr., and others, dated Feb. 4, 1629, by which they were empowered to make a voyage into "the Gulf and River of Canada, and the parts adjacent for the sole trade of beaver wools, beaver skins, furs, hides, and hides of all wild beasts."

When the news of the capture and destruction of the French fleet by Kirk reached France, the king and cardinal with the other leaders were furious and became clamorous for revenge, and in solemn council, presided over by the king, Admiral Kirk and his brothers were declared public enemies and were condemned to be burned in effigy and amidst the tolling of bells, three stuffed figures, representing the Kirks, David, Lewis and Thomas, were carried in procession through the streets of Paris and then burned to ashes in the Place de Greve to the hilarious delight of a jeering mob.

This was the first serious conflict between France and Britain in the new world, the opening of a struggle for supremacy that was to continue for upwards of a hundred years. While the king of France and the great churchman, Richelieu, were nursing their wrath and the mob in Paris were shouting like demons over their ignominious defeat, Admiral Kirk was engaged in fitting out at the expense of his father, of Sir William Alexander and their friends, another fleet of ships more numerous and better equipped than the first, intending this time to make a clean sweep of everything French in America. Some time passed in making the necessary preparations and it was not until March 25, 1629, that Admiral Kirk sailed from Gravesend in command of six armed ships and three transports all well manned, and

furnished with letters of marque under the great seal of Britain. He arrived in due time at the mouth of the St. Lawrence after a prosperous voyage. Here he divided his force, sending his two brothers, Captain Lewis and Thomas, to visit the Scottish settlement at Port Royal and patrol the coast in search of any attempts at permanent settlement by the French. He himself in command of the flagship "Abigail," accompanied by another, sailed up the St. Lawrence to Tadousac, purposing to make that place his headquarters. In sailing up the river he was attacked by a French ship in command of Emery de Caen, son of William de Caen, lord LaMotte, and general of the French troops in America. A running fire was carried on by Admiral Kirk and the French ship for some hours until De Caen lost one of his masts and was otherwise disabled and compelled to surrender. In this action the British admiral had three men killed and about twenty seriously wounded. The French loss by death and disability was much greater. Having secured his prisoners and destroyed the enemy's ship, Admiral Kirk continued his voyage to the harbor of Tadousac, where he awaited the remainder of his fleet returning from Port Royal. In a few days his brothers arrived, giving a favorable report of the progress of their Scottish friends at Port Royal. Thereupon, leaving the greater part of his fleet at Tadousac, he set sail with two ships, the *George* and the *Gervase*, and appeared before Quebec. Disease and hunger having done their deadly work, Champlain realizing that it would be sheer folly to longer hold out offered no resistance and speedily accepted Kirk's terms, laid down his arms and the British took possession. This was 130 years before Quebec was again taken by Wolfe. Shortly after the surrender of Quebec, Admiral Kirk captured near the mouth of the St. Lawrence a French expedition bound for its relief. Captain Lewis Kirk, brother of the admiral, was placed in command as governor and left at Quebec. The French now by the articles of warfare had no legal footing anywhere on the North American continent. Great Britain was now supreme over all,—in possession of an empire whose natural resources were of incalculable value.

Thus at the end of two short years from the grant of his commission by the king, Admiral Kirk had destroyed every vest-

age of French military and naval power known to exist in the territory now comprising the State of Maine and the Dominion of Canada. Admiral Kirk proved himself to be the most magnanimous conqueror that ever drew sword or fired a gun. He treated his fallen foe with the greatest consideration and the utmost humanity. Those who wished to stay in New Scotland or Canada he took under his protection, fed and clothed them and otherwise looked after their physical comfort. Those of them who desired to return to Europe, he provided with a ship of 250 tons, although it had been especially stipulated when Quebec surrendered that he should not supply any ship nor arrange for their safe conduct to Europe. He provided this ship with seventy of his own sailors and conveyed them to England, furnishing clothing and feeding them for seven months, in fact, so well were General de Caen and Champlain treated that they began to have misgiving concerning their expensive fare, refusing some of the rich food provided for them through fear that they were incurring too large a bill and that they would never be able to pay for it. This statement is from their own written testimony to friends.

When Kirk returned to England, he learned that peace had been declared between Britain and France, and that the king was making overtures to the French court for the payment of the remainder of his queen's dowry in return for which he was willing to sacrifice the territory in the new world gained by the prowess of the Kirks. Public opinion was so strong that it compelled King Charles to recognise the determination, skill and courage exhibited by Admiral Kirk and his brothers in their successive voyages to New Scotland and Canada, notwithstanding that he, the king, was planning to destroy the fruits of their labors. The king then made to them a grant of honorary addition to their coats of arms, "by this grant, dated Dec. 1631, to Admiral David Kirk, Lewis Kirk, governor of Canada, Captain Thomas Kirk and James Kirk for valor in vanquishing the French fleet under command of M. de Roquemont admiral, bringing him prisoner to England, and in the following year taking Canada and bringing M. Champlain prisoner to England, the court armor of M. de Roquemont is granted

to Admiral David Kirk and to his brothers and their issue forever to be worn in a canton over their paternal coat of arms."

Admiral Kirk for a time after his king's idiotic assent to the Treaty of St. Germain's suffered from a period of depression and sought to regain his mental equilibrium and physical strength by retiring to the home of his ancestors in Anderwerk, Scotland, where King Charles I in 1633, when he visited Scotland, knighted Admiral Kirk on July 16 of that year. But Sir David Kirk was of too active and energetic a nature to long remain idle. His mind was too full of plans for exploration and colonization to rest content in a state of slippered ease. His thoughts ever travelled towards the far west with its boundless plains of virgin soil and great rivers rushing to the sea, their banks covered with heavily laden forests abounding in all kinds of wild life, lands rich in beaver, whose skins were worth their weight in silver and seas filled with whales and codfish. All these and many other influences were constantly calling Admiral Kirk to take a part in the great world's activities; in brief, he had been, like the Israelites in the wilderness, growing brawn and marrow for the work he was yet destined to do. There is no room for doubt that Sir David Kirk was the best informed man of his time in the British Isles concerning the coast of America and the resources of the country. His early travels had made him familiar with all the territory then known as British North America, and his various activities there had made him fully alive to its commercial and military importance. He could not easily be deceived in his estimate of the climate and the natural resources of Newfoundland, as so many since his time have been. The popular mind has enveloped the island with the fogs that continually shroud the Grand Banks and has given it the atmosphere of the birthplace of icebergs. This, however, is an entirely erroneous conception. The climate is perfect in summer, warm brilliant days always followed by cool nights, balmy airs, fogs that seldom come up the bays and merely cool the hot August sun, making life of the utmost pleasantness.

During his period of enforced retirement, Sir David closely followed the several attempts and particularly Lord Baltimore's to found a colony in Newfoundland. He must from the

first have been conscious that the attempt would fail, as the wrong man was endeavoring to do something for which his training and knowledge absolutely unfitted him. A courtier and secretary of state, who had passed his days within the precincts of Whitehall, Baltimore could be easily misled, having no practical knowledge of conditions in the New World; hence nothing but disappointment and distress could follow upon ignorance and gullibility. Worn out by the incessant hardships of pioneer life and aggravated by the chagrin of many failures, Lord Baltimore abandoned his post and shortly thereafter died. Sir David Kirk for a number of years having tried every legitimate means to obtain financial redress for the losses and inconveniences he and his associates had sustained in upholding British interests in New Scotland and Canada had signally failed, even the twenty thousand pounds which the French government had promised to pay to the Kirks, Sir William Alexander and their associates, by the provisions of the treaty of St. Germain, were repudiated, the agreement and promise of the French evidently having been made in a Pickwickian sense.

Sir David Kirk, shortly after Lord Baltimore's death and the failure of his colony, applied to the king for a grant of territory in Newfoundland and obtained from him on Nov. 13, 1637, a grant of the whole island of Newfoundland with all the powers of a Count Palatine over the island. For Sir David Kirk to think was to act. He immediately collected one hundred picked men and fitted out one of his old ships, the "Abigail," with everything necessary for a colony and sailed from England in the spring of 1638.

He established his headquarters at Verulam, a place since called Ferryland, close by St. John's, in the house built by Lord Baltimore, where he made all arrangements for a prolonged stay in the island. Before leaving Britain, Sir David had organized a strong company to carry on trade with Newfoundland. The Marquis of Hamilton, the Earl of Pembroke and Montgomery, and the Earl of Holland were among his associates in this enterprise. A line of ships was established to run between Newfoundland and London under the management of Kirk, probably the first line of transatlantic vessels for trade purposes.

Lord Baltimore's bitter complaint and dismal failure had prejudiced men's minds in Britain against settling in the island. To off-set this erroneous impression, Sir David at once addressed himself by writing a long and most interesting account of the country with the trade advantages offered in the various industries at that time practiced, which he divided into seven heads, namely,—fishing, buying and making of salt, making pot-ashes, brewing and baking, iron works, impositions (taxes upon strangers) and trade (under the latter is meant, barter exchanging products with the natives). In the conclusion of this narrative he makes jest of the idea passing current that noblemen and gentlemen should not engage in trade, saying: “*Mala Mens, malus animus,*” and, “He that hath a habit of playing false himself, thinks every man a cheater.” “It was never heard,” say they, “that any lord or gentlemen got anything by trading. Never heard? Hath no man ever heard of the noblemen and gentlemen of Italy? Have they no hand in merchandise? Nay, are not the greatest of their princes some way or other engaged in constant traffic? But not to send you so far for examples, it is very well known that divers gentlemen of the west of England have for many years passed, and do yet to their great profit, continue even this trade of fishing. * * * If you had studied with a little more care and inquiry, you might yet further have heard or read the opinion and instruction upon such a theme of a man as great as any of his age brought forth, and a great and eminent peer of England, who adviseth in business of this nature to admit of none but noblemen and gentlemen, excluding utterly the merchant from having any hand in the design. Our hopes, therefore, are that their lordships will take the strange encouragement to proceed in the course began.

* * * And we assure ourselves we shall render to the adventurers such accounts as shall give them high satisfaction, if in the management of the business they be pleased to take the advice of such as have the best opportunities to understand it and are here for this purpose to do all right to them, honor to his majesty and good to the natives of the land and all His Highness's subjects that shall engage themselves in the action.”

After one year's experience in Newfoundland, Sir David Kirk

wrote a full and detailed account of the promising condition of the country. He pronounces the climate to be healthy, though rather severe, the air agreeing with everyone except Jesuits and Schismatics. "A great mortality," he wrote, "among the former tribe so affrightened my Lord Batlimore that he utterly deserted the country." Sir David had an equal dislike to both Roman Catholic and Puritan. He was a good Churchman and an admirer of Archbishop Laud with whom he kept up a regular correspondence. The natural obstacles incident to pioneer life which overcame Baltimore had little effect on Sir David Kirk. He clearly foresaw the possibilities of the island and that her great source of wealth was to be found in the valuable fisheries adjacent to her shores. Consequently he used every effort to increase the fishing trade by offering every inducement to both British and foreign fishermen to engage in the trade by means of his protection as governor and also by erecting sheds on the island where they could dry and cure their fish, as well as erecting houses where they could be housed and fed during their stay on the island.

Under Kirk's administration of affairs a strong commercial policy soon took shape in Newfoundland and an unusual degree of prosperity prevailed for some years. During the civil war in England, both king and parliament were too busy with home affairs to give any attention to those of Newfoundland, consequently Admiral Kirk was left in sole possession of the island, responsible to none. A loyal supporter of the king, however, he considered himself under his majesty's command until the latter's death and the advent of the Commonwealth under Cromwell, which entailed upon Gov. Kirk all sorts of trouble, which for our purpose it is unnecessary to relate.

Taking a careful and impartial view of Kirk's administration, we reach the conclusion that it was productive of the greatest benefit to the island and laid the foundation for its subsequent prosperity. For twenty years, Gov. Kirk continued to reside in Newfoundland and died there in 1656, leaving three sons, who were all with him at the time of his death. There were permanently located on the island at this time between 350 and 400 families of English speaking people, besides a floating population of visiting fishermen numbering many thousand.

It was Pierre Radission, one of the two French Huguenots, daring adventurers and explorers, who influenced the promotion of the famous Hudson Bay Company and who married a daughter of Sir John Kirk, brother of Admiral Sir David Kirk. Sir John Kirk was among the early officers and managing directors of the Hudson Bay Company; in fact, it was through the influence of the Kirk family that Radission and his fellow explorer, Meddard Chouart, were enabled to successfully enlist the co-operation of British men of influence and capital in the founding of the great company. Radission's first wife was a daughter of Abraham Martin, the Scottish pilot of the River St. Lawrence, who was the owner of the land which included the historic battle ground of the Plains of Abraham and after whom it was named.

It may be well to take a passing glance at this interesting island, which is Britain's first-born, her oldest colony and for over a century the only colony possessed by Englishmen in the new world.

"Dawnlight on the Northern waters, as on many a morn before,
"Regal sits a lonely island, girt by undiscovered shore;
"White sails from the East draw near, English eyes enraptured
see
"Tarra Nova, first Colonia, fringe of Empire yet to be."

Here was laid the corner stone of Britain's colonial empire, a witness of the bitter struggles for supremacy that made the shores of Newfoundland famous in the 17th century, when Britain was founding the vast colonial empire that today is her fairest crown and her surest guarantee of future success. The beginnings of Britain's sea power can be traced to the training obtained by the hardy fishermen from Devonshire in the waters off the Newfoundland coast. Within a very few years after Cabot's first voyage two hundred vessels giving employment to ten thousand men from Devonshire, were engaged in the Newfoundland fisheries. The early pioneers of Jamestown and Plymouth looked to Newfoundland as a sort of foster parent. History relates many acts of substantial assistance extended by

Newfoundland in the early days to the younger colonies of Virginia and Massachusetts. The timely arrival of a cargo of fish from Newfoundland at one time saved the colonists of Virginia from starvation.

The island is much larger than commonly supposed. Its area is over 42,000 square miles, about one-sixth larger than Ireland or about one-fifth larger than the states of Massachusetts, New Hampshire, Vermont, Rhode Island and Connecticut combined. Its circumference from headland to headland is about one thousand miles, but so deeply indented is it by bays and inlets of the sea that its coast line is almost double that in extent. It stretches far out into the North Atlantic and is the doorstep of the continent, the nearest part of North America to Europe,—the half-way house between the two continents.

Mr. J. G. Millais, the distinguished English artist and naturalist, writing of Newfoundland says: "The world in general knows little of Newfoundland, and the average Englishmen imagines it to be a little bit of a place somewhere near the north pole, which, with two or three other colonies, could be safely stowed away behind the village pump. If he has been to school, he will have learned that it is our oldest colonial possession, famous for codfish, caribou and national debt. To him the island is inseparably connected with fogs, dogs and bogs, just as he imagines Africa to be a 'mass of lions mixed with sand.' Should he wish to be still further enlightened as to its size, he will find that one cannot watch seals in the Straits of Belle Isle and walk down to tea at St. John's on the same day. * * *. In reality Newfoundland is a most attractive place, with its thousands of lakes and pools, picturesque streams teeming with salmon, trout and ouamaniche, great open moors and marshes dotted with the ever restless herds of caribou. The wild sea coast inhabited by thousands of sea birds, dense forests of varied and beautiful trees, all contribute to make the island one of the most delightful of wild countries to the sportsman and lover of nature."

Of all places on the North American continent none surpasses Newfoundland in beauty and variety. It is not too much to say, after an experience of many years, that the island combines all

the beauties of the most famous resorts in the United States with many charms peculiarly its own. Nature has bountifully lavished its graces and attractions upon this land, an island the center of which is occupied by great lakes, rich meadow land, vast heaths, or barrens as they are locally termed, superb forests, large tracks of which are still untrodden and practically virgin, while the rugged coast line rich in magnificent fiords and towering cliffs, channels and islands, give a varied picturesqueness captivating in the extreme. Everywhere one may wander, sure of finding delight and rest for body and brain, and once the visitor has felt the charm of the island, once he has travelled its lakes and forests and meads, once he has wandered by its rivers and watched the glorious sunsets that empurple the heavens, joyed in its cool nights, he unconsciously repeats Byron's farewell to the Rhine:

“Adieu to thee again, a long adieu!

“There can be no farewell to scenes like thine.”

Until within a very few years, Newfoundland stood like Goldsmith's traveler “remote, unfriended, melancholy, slow,” a terra incognita to tourists and the outside world. It found no place on the visiting list of countries recognized in polite society. A new day, however, has now dawned and the popular misconceptions anent the ancient colony are disappearing.

(To be Continued.)

THE VARIAN HOUSE, SCARSDALE

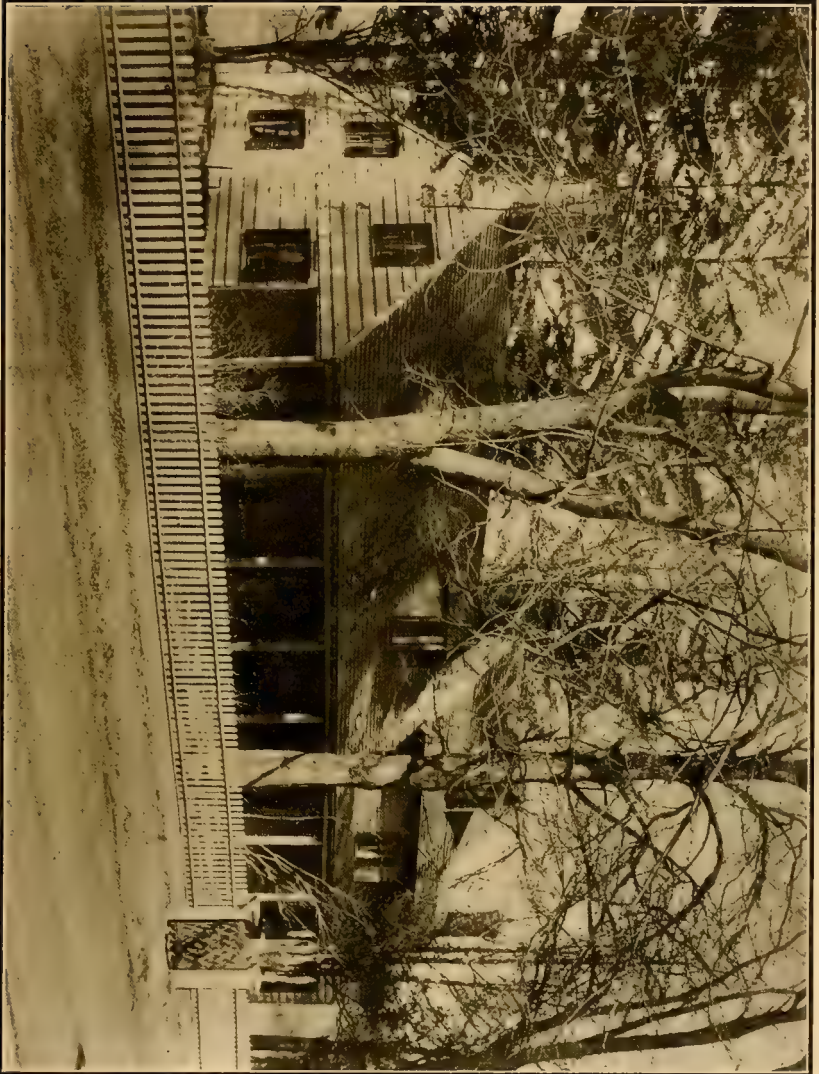
BY LYMAN HORACE WEEKS

ON the Post Road in Scarsdale, between the old Pop-ham estate on the south and the Tompkins estate on the north, is the ancient Varian house, or tavern, or the "Wayside Cottage," as it has been commonly known in recent years. It is a low, rambling structure, well preserved, and even now, after more than two hundred years of existence, is in sufficiently good state of preservation to allow of its occupancy.

The house was built before the Revolution, but in subsequent years, additions, which have considerably altered its original appearance, were made to it. But even now it has a reverend air of antiquity as compared with the more modern structures which have sprung up round about it in recent years. In general character it is comparatively little changed from what it was during the Revolutionary times.

The house originally occupied the southeast corner of an extensive farm of several hundred acres, which, in Revolutionary days and immediately after belonged for several generations to the members of the Varian family. Standing close to the road it is still shaded by handsome trees, which were undoubtedly standing there when the building was erected. The structure was erected by a farmer named Haddon, and from him it passed to the possession of the first Varian owner. During the Revolution it was occupied by James and Michael Varian, who, with their brothers, Richard and Isaac Varian, were devoted adherents to the patriot side, and, in common with all their Westchester county neighbors suffered much thereby.

In October of 1776, the British army marched from Morrisania through Scarsdale to White Plains, to assist in General Howe's



THE WAYSIDE COTTAGE, SCARSDALE
The Home of the Varian Family

plan to overwhelm Washington and the Continentals. Tradition has it that in order to secure as many of their goods as possible from the British, the Varians removed the family cow from the stable adjoining the house and secreted her in the cellar of the house. Along with the cow went the family Bible, and other prized possessions. It is said that the British hacked at the door of the house and the stable, and finally discovered the cow and the family Bible in a place of concealment. Marks of the British sabres which were used to batter down the door of the house and the stable door, are still to be seen. It is not true, however, that the cow and the family Bible were captured. Both escaped from the observation of the enemy, and for years the Bible was in the possession of the descendants of one of the Varian brothers.

In the New York Evening Post of December 16, 1879, this evidence of the later existence of the family Bible appeared.

"In the good keeping of Dr. William Varian, of Kingsbridge, New York City, is now and has been the ancient family Bible of his ancestors, the Varians of Westchester County, New York, the proud lot of which was to be preserved, uninjured through the War of the Revolution, by being buried in the cellar of their dwelling house, the old residence in the town of Scarsdale, near the former Morris and Popham estates, still standing and occupied by a Varian. Although being much exposed (the family being patriotic) to the depredations of British soldiers, and especially of the "cow boys"—those notorious brigands of the period, so well described in Cooper's "Spy" and Bolton's "History of Westchester County"—this farm house escaped both the torch and their pillage, and the dark cellar at the dawn of peace, true to its trust, delivered up the remarkable volume as good as ever, to be the household companion of future generations, whose names are registered therein. This ancient English Bible is a large folio, with thick embossed lids, fitted originally with clasps, and bears the date 1759 on the title page, but not the name of the place where it was published. Strangely, too, the illustrative pictures, of which there are several, are explained in the Dutch language."

After the war was ended the house and grounds came into the possession of Colonel Jonathan Varian, and for many years he

kept a tavern there. The original Varians in this country were butchers of New York City, and it was natural that Colonel Jonathan Varian's tavern should become a resort of drovers, who were on their way from Ohio to New York, with their cattle. Not only was this stopping place at a convenient distance from the city, but it also offered further advantage in the broad acres of meadow land, which were turned into pasturage for the cattle. Tired with their long journey from the West, the cattle were here allowed to recuperate and graze at will in the pasture to the north and west of the house. After they had rested here several days and taken on new flesh and the lush grass from the meadow lands the dealers came up to New York, bought what they liked and drove their purchases back to the city. Big barns were scattered about on the estate where fodder was stored for the purpose of feeding the cattle in the winter months, and these were standing until the middle of the last century.

Just below the cottage and close to the road-side, is an ancient milestone. This has been well preserved and is one of the valued antiquities of Westchester county. It bears this inscription: "XXI Miles to N. York, 1773."

The Varians, who were for so many years occupants of this house, were of French descent. The name, in various forms, goes back to the twelfth century, and in its early history the family was armor bearing. Men of the name went to Canada from France and they were located as early as 1621. Others were in Ireland, where they were officers in cavalry regiments, serving under the Protector Cromwell.

Isaac Varian, first of the name in New York, was here before 1620. His place of birth is unknown. Various traditions derive branches of the family from France, Holland and Ireland. It is probable that his immediate ancestors were of France, and fled to Holland with others of their compatriots upon the revocation of the Edict of Nantes. In 1620 Isaac Varian was a butcher and had a stall in the Old Slip market. He was very successful in business, and ultimately was regarded as one of the "fathers of the guild."

From 1735 to after 1750 he had a stall in the Fly market, and in May, 1748, was located in the Meal or Wall street market. He

acquired considerable property and died in Bowery Lane, New York City, about 1800. He was married in the old Dutch Church, August 12, 1732, to Elizabeth DeVouw, (or De Voe), who was a daughter of Daniel De Voe, one of the first French settlers of Morrisania. His children were Joseph, James, Richard, Michael and Isaac Varian.

In the second American generation James Varian, second son of Isaac and Elizabeth (De Voe) Varian, was born in New York in 1734. When New York was taken possession of by the British in 1775, he removed to Scarsdale, and from that time on rendered valuable service to the colonial cause. He was subjected to much exposure, and endured suffering that made him a paralytic in the later years of his life. When Westchester county was overrun by the British, the members of his family were compelled to abandon their home and they found refuge in Danbury, Connecticut. They returned to Scarsdale after peace had been made. James Varian was a first lieutenant in the Scarsdale and White Plains Company of the second battalion of Westchester county. He married Deborah Dibble, of Connecticut, February 25, 1759. He died at the Scarsdale homestead December 11, 1800. His children were Elizabeth, Jonathan, James, Michael, Deborah, and Ichabod Varian.

Jonathan Varian, the eldest son of James and Deborah (Dibble) Varian, was born in New York City in 1763. Early in life he was a cattle drover and, as has been already said, after settling upon a homestead in Scarsdale, became proprietor of the tavern there. He was a colonel in the war of 1812. He married, April 11, 1811, Phebe Angevine, daughter of James and Susan Angevine, of the New Rochelle family of that name. His children were Samuel, Henry Ascot, of New Rochelle; Susan Angevine, who married her cousin, Jacob Harsen Varian, of New York, and Andrew J. Varian, of Brooklyn, who served in the Civil War. Colonel Jonathan Varian died February 14, 1824.

Deborah Varian, the fifth child and youngest daughter of James and Deborah (Dibble) Varian and sister of Colonel Jonathan Varian was born in Scarsdale, April 8, 1770. She died August 14, 1815. Her husband was Caleb Tompkins, of the famous

Tompkins family, which owned the estate adjoining that of the Varians. Caleb Tompkins was the son of Jonathan G. and Sarah (Hyatt) Tompkins, and was one of the leading men of Westchester county, being a judge for forty years. His brother, Daniel D. Tompkins, was the celebrated Governor of New York, and vice-president of the United States 1817-1825.

THE LITTLE WARS OF THE REPUBLIC

BY JOHN R. MEADER

PART IV.—THE WAR WITH THE BARBARY PIRATES

SCARCELY more than a century ago practically every nation of the world paid tribute to the petty Barbary States. Although outwardly a union of small powers for mutual protection, the bond that really held them together was an agreement to prey upon and collect tribute from the maritime nations, and the success of their piratical enterprise was so great that, at the beginning of the nineteenth century they had assumed a position that kept almost the entire civilized world at their mercy. If any power failed to contribute to this exemption fund, its merchant vessels were captured as soon as they entered the Mediterranean; their cargoes were seized, and their crews and passengers made prisoners and eventually, unless ransomed by the payment of large sums of money, sold into slavery. In fact, so insolent had the Barbary pirates become that they refused to make a treaty with any government unless the document contained a clause providing for the annual payment of a sizable tribute, and an effort to avoid this condition was promptly made the excuse for attack upon any vessel that bore the offending flag.

That England had the power to suppress the Barbary pirates is a fact that has never been questioned, but England, for diplomatic reasons, did not desire to take such a step. On the contrary, as Schuyler said in his "American Diplomacy," "in order to keep her own position as mistress of the seas, she preferred to leave them in existence in order to be a scourge to the commerce of other European powers, and even to support them by paying a sum so great that other states might find it difficult to make peace with them."

If this was the object that England had in view—and there seems to be no better explanation of her conduct in this regard—she played her part well, for her annual tribute at that time was not less than \$280,000. According to the treaty renewed by France with Algiers, in 1788, that nation also agreed to pay annually a tribute of \$200,000, besides other large presents. To secure peace for her merchant vessels Spain is said to have paid between three million and five million dollars, while Sweden, Denmark, and Holland were compelled to pay almost as great a sum as Great Britain.

So long as the American merchant vessels sailed under the English flag, their relations with the Barbary States were maintained upon a reasonably friendly basis, but, in course of time, the new flag appeared in Mediterranean waters, where it was hailed with avaricious delight by the piratical rulers. Moreover, as the Barbary government was fully in sympathy with Great Britain, with whom it had long maintained certain diplomatic relations, the eagerness with which it seized this opportunity to display its animosity towards the maritime representatives of the new nation left no room for doubt that peace for America's merchant vessels could be purchased only under most unfavorable conditions.

It was in anticipation of this emergency that in her first negotiations for a treaty with France, America had endeavored to have an article inserted providing that the king of France should assure all citizens of the United States, their vessels, and effects, against the depredations of the Barbary pirates, but as it was found impossible to embody such a clause in the treaty of 1778, an article was substituted by which the king agreed to "employ his good offices and interposition in order to provide as fully and efficaciously as possible for the benefit, convenience and safety of the United States against the princes and the States of Barbary or their subjects."

While willing enough that the American vessels should sail the Mediterranean under his protection, the king realized his inability to secure such protection for another nation, and it is safe to say that, before refusing to enter into such an agreement, he ascertained that it was the intention of the Barbary

powers to make the United States government pay generously for the safety of its merchant craft.

It was particularly galling to the American spirit of independence to be confronted, so early in its existence, by a condition that seemed to afford no avenue of escape except by actual submission to the lawless and outrageous demands of a piratical power, but, in view of the fact that American vessels were being seized, and American citizens held in captivity, the situation was one that called for immediate adjustment, even at the cost of national pride. Accordingly, in 1785, John Adams called personally upon the Tripolitan ambassador, with the request that direct negotiations for a treaty between the Barbary powers and the United States be opened.

The result of this interview was anything but satisfactory, for the ambassador not only informed him that "Turkey, Tripoli, Tunis, Algiers and Morocco were the sovereigns of the Mediterranean, and that no nation could navigate that sea without a treaty of peace with them," but that such treaties could be negotiated only upon the agreement to pay the price exacted. So far as Tripoli was concerned, the lowest price was 30,000 guineas for the nation and \$15,000 for himself; he believed that Tunis could be depended upon to treat on the same terms, but he had no authority to answer for either Morocco or Algiers.

Unsatisfactory as the first interview proved, negotiations were continued, and it was finally found that peace with the four powers would cost at least one million dollars, and, unfortunately for those who wished to adjust this matter without further delay, Congress had appropriated but \$80,000 for this purpose. What was still more deplorable, in view of the fact that at least fourteen men were then held in captivity by the powers, the government was undecided as to the policy that should be pursued. Jefferson was for war without delay; Adams was opposed to this course, on the ground that the expense of the conflict would more than offset the cost of tribute. For months this question was debated in the cabinet, but those who favored pacific negotiations finally carried their point, and many efforts were made to come to a more favorable agreement.

Two years later, in 1787, a treaty was concluded with the Emperor of Morocco. The attempt, made at the same time, to effect a treaty with the Dey of Algiers, was unsuccessful, and nearly ten years elapsed before definite action was taken, with the result that, in November, 1793, it was estimated that fully 115 Americans were prisoners in the hands of the Dey.

As the knowledge of this fact spread throughout the country, the demand for the release of these captives became so great that Congress felt that it could no longer delay its effort to put an end to such intolerable conditions. Thus, on January 2, 1794, a resolution was passed by the House of Representatives providing that a "naval force adequate for the protection of the commerce of the United States against the Algerine forces ought to be provided," and, during the same year, it was specified by the vote of Congress that this force should consist of six frigates and ten smaller vessels to act as galleys.

Realizing that the patience of the United States was exhausted, and that it would not be long before this naval force would appear in the Mediterranean waters, the Dey of Algiers began to exhibit greater interest in the treaty negotiations, which had never been suspended, and, in September, 1795, a treaty was concluded upon the basis of a payment of one million dollars and an agreement to pay an annual tribute similar to that exacted from all other nations. The first payment secured the ransom of the American captives and the good will of the Dey. The safety of American vessels in the future depended upon the payment of the annuity.

The first step having been taken, treaties with the other three powers were effected without much difficulty, although at great cost. That with Tripoli was secured by the payment of a lump sum. In all, nearly two million dollars was finally expended to assure the forbearance of the Barbary powers, and there was still the annual tribute upon which the continuance of peace depended.

The temporizing policy that the United States government had displayed, and its final submission to the terms proposed by the pirates, did not tend to make the Barbary rulers feel that they had to deal with a particularly formidable nation. As the

result, their demands continued, and even became more insolent. In 1800, when Captain Bainbridge arrived at Algiers to make payment of the tribute money, the dey commanded him to proceed with his frigate to Constantinople to deliver private dispatches to the Sultan. "English, French, and Spanish ships of war have done the same for me," said the dey, and when Captain Bainbridge continued to remonstrate, he exclaimed angrily: "You pay me tribute because you are my slaves. I command you to do my bidding!" And the American naval officer deemed it an act of wisdom to obey.

Even the lesser Barbary States assumed a high-handed attitude, as though they felt that they had nothing to fear from a government that had been so eager to pay them tribute. The Bashaw of Tripoli even threatened to return the treaty and resume the seizure of American vessels unless President Adams made him as generous a present as had been bestowed upon the Dey of Algiers, and the Bashaw of Tunis made a similar demand upon President Jefferson.

As Jefferson had always been opposed to the pacific method of treating with the Mediterranean pirates, he declined to become a party to any conciliatory actions, but, instead, sent Commodore Dale, with a squadron of three frigates and a sloop of war, to make a naval demonstration off the Barbary coast. As he suspected, from information that he had received, Tripoli was on the point of declaring war against the United States, and, when the American squadron appeared at Gibraltar, in July, 1801, he found two Tripolitan cruisers already at the straits on the watch for vessels bearing the American flag.

As soon as this fact was discovered, Commodore Dale sent the frigate *Philadelphia* to blockade these vessels, while he, with the frigate *President*, and followed by the schooner *Experiment*, cruised off Tripoli, and Captain Bainbridge, with the frigate *Essex*, convoyed American vessels in the Mediterranean. The only actual conflict at this time occurred on August 6, when the *Enterprise* fell in with a Tripolitan cruiser of 14 guns, and, after a spirited action of three and a half hours, captured her without injury to a man, although she killed and wounded on the Tripolitan war-vessel exceeded fifty in number.

As a result of this action, Tripoli for a time seemed overawed, The other Barbary powers were equally quiet, but it was felt that they simply awaited an opportunity to secure revenge. This satisfaction, however, President Jefferson was determined they should not have, so, instead of recalling the squadron, he ordered the vessels to remain, and for eighteen months they cruised in different parts of the Mediterranean. In 1802, Commodore Dale was relieved by Commodore Morris, but, as he did nothing to blockade or molest Tripoli, he was then recalled and dismissed from the service, being succeeded by Commodore Preble, who had definite instructions to proceed most aggressively in punishing the pirates for the tyranny that they had exercised for so long. Under Preble, the squadron consisted of the frigate *Constitution*, of 44 guns, which he commanded; the frigate *Philadelphia*, of 44 guns, commanded by Captain Bainbridge; the brig *Syren*, of 12 guns, commanded by Captain Stewart, and the schooners *Vixen*, *Argus*, *Nautilus*, and *Enterprise*, each of 12 guns, and commanded respectively by Lieutenants Smith, Hull, Somers, and Decatur.

During the fall of 1803, the *Philadelphia*, while cruising about the Mediterranean, came upon a ship-of-war with a brig in company. Suspecting that something might be wrong, Captain Bainbridge demanded that her papers be sent on board the *Philadelphia*. They proved her to be the cruiser *Meshboha*, of the Emperor of Morocco's navy, and under the command of Ibrahim Lubarez, a man of good education and high standing who had formerly represented his country diplomatically at some of the courts of Europe.

The explanations made by Lubarez were so clear that the American officer might have been deceived by them had it not been for the fact that the men from the *Meshboha* had freely admitted that their sole purpose in cruising was to capture American vessels.

Charged with this violation of America's treaty rights, Lubarez indignantly protested his innocence, but when Captain Bainbridge informed him that he should treat him as a pirate, and hang him from the main yard within half an hour unless he produced the order from his sovereign which authorized him to

seize American vessels, he unbuttoned several waistcoats, and from an inner pocket of the fifth, produced the document that conclusively established the fact that Morocco was deliberately violating her treaty.

With such evidence in hand, Commodore Preble proceeded to Tangiers, where, in October, he frightened the Emperor so thoroughly by his threats of bombardment that the latter was glad to agree to terms that placed the relations of the two nations upon a much-improved basis. On both sides prizes and prisoners were restored, and Preble sailed away with confidence that no further danger was to be feared from Morocco.

Naturally, such negotiations consumed considerable time, and the Commodore had not gone far on his way towards the Tripolitan coast before he spoke a British frigate which reported that the *Philadelphia* had been captured some three weeks before. While in close pursuit of a Tripolitan cruiser, Bainbridge advanced so far into the harbor that he grounded the frigate upon a ledge of rocks. Before he could remove her, he was surrounded by warships and gunboats and was compelled to surrender, after resisting their fire for more than five hours. The officers were held as prisoners of war while the crew, which consisted of more than 300 men, were put to hard labor.

As Commodore Preble was extremely desirous that Tripoli should derive as little profit as possible from her prize, Lieutenant Stephen Decatur volunteered to take a captured Tripolitan craft, renamed the *Intrepid*, into the harbor and either recapture the *Philadelphia* or burn her under the castle's guns. This desperate plan was literally carried out. On the night of February 16, 1804, the gallant young officer, accompanied by 75 of the bravest American sailors, stole into the harbor, and, coming alongside the *Philadelphia*, boarded her, and, after a hand to hand battle, in which twenty of the Tripolitan sailors were killed, drove the crew overboard, without the loss of a single man. Finding it was impossible to recover the frigate, Decatur set the ship on fire, and did not abandon her until she was completely wrapped in flames.

Enraged by the loss of his valuable prize, the Dey of Tripoli determined to wreck his vengeance upon his prisoners, and im-

mediate orders were given that there should be no further communications between the officers and man. The former, who had been treated with considerable kindness were removed to a cold, damp, tomb-like apartment in the castle, where they were confined during the remainder of their captivity.

As all Preble's efforts at negotiation came to nothing, he finally decided to try the effect of a bombardment, and, on July 25, he arrived off Tripoli with a squadron consisting of the frigate *Constitution*, three brigs, three schooners, six gunboats, and two bomb vessels. Arrayed against him were over one hundred guns mounted on shore batteries, nineteen gunboats, one 10-gun brig, two schooners and ten galleys. From August 3 to September 3, five attacks were made, and, while the town was never reduced, sufficient damage was done to make the Dey realize that his position was a perilous one.

During the bombardment, Commodore Preble planned to send a fireship into the harbor, which was then filled with war vessels and other craft. With this end in view, the *Intrepid* was equipped for this service, being loaded as heavily as possible with explosive materials, and, under the command of Captain Somers, she started on her dangerous mission shortly after dark. In addition to suitable convoy, she was attended by two of the speediest boats in the squadron, but, unfortunately, she was either struck by a shot from the batteries, or met with some other mishap, for she exploded prematurely, and no remains were ever discovered, either of the men or the boats.

As it was arranged that Commodore Preble should return to the United States in September, this plan was carried out, Commodore Barron taking his place. In the meantime, the blockade was maintained vigorously, and, during the early part of 1805, several attacks were made upon Tripolitan towns, with the result that, in June, the bashaw was willing to sign a treaty providing that no further tribute should be exacted, and that American vessels should never again be molested. Prisoners were exchanged, man for man, and, finally, the contract was closed by the payment of \$60,000 by the United States.

With their characteristic duplicity, however, the Barbary authorities apparently had no intention of abiding by their con-

tract any longer than was absolutely necessary, for, at the breaking out of war with England, in 1812, they took advantage of the opportunity to resume their system of piracies, with Americans as their victims.

As soon as the news of the new outrages reached the United States plans were made to put an end to them, and, almost before the war was ended, Commodore Decatur appeared before Algiers, where he so terrified the Dey that the latter agreed to sign a new treaty, as Hildreth reports, "on Decatur's quarter-deck, surrendering all prisoners on hand, making certain pecuniary indemnities, renouncing all future claim to any American tribute or presents, and the practice, also, of reducing the prisoners of war to slavery."

With this treaty to his credit, Decatur then visited Tunis and Tripoli, where he demanded and obtained indemnity for the American vessels that had been captured under the guns of their forts by British cruisers during the late war. As the Dey of Tripoli insisted that he was short of cash, Decatur accepted as part payment, the restoration of liberty to eight Danes and two Italians whom he found held in slavery.

WILLIAM TRYON

THE LAST BRITISH GOVERNOR OF NEW YORK

BY WM. S. PELLETREAU, A. M.

WILLIAM TRYON, who was the last British governor of the Province of New York, was born in Ireland about 1725. Entering the army he was made Captain in 1751. A few years later he was promoted to the rank of Lieut. Colonel. Coming to America he was Lieut. Governor of North Carolina June 27, 1764, and became Governor upon the death of Gov. Arthur Dobbs July 29, 1765. Through the tact and influence of his wife he secured a grant of £15,000, to build a Governor's mansion at Newbern, and at the time of its erection it was considered the handsomest building in America. The heavy taxation which this and other extravagances laid upon the people, was the cause of a popular outbreak led by a band known as the "Regulators." This rebellion was put down with the greatest severity. In July 1771 he was transferred to New York where he greatly strengthened the militia. His dwelling was the Government House, in Fort George. This was burned in 1773, the Governor and Lady Tryon being rescued with the greatest difficulty. During his administration large grants of land were made to Kings College, and he speculated in western land on his own account. In 1774 he went to England, but returned in June of the following year and found the Colony in rebellion, and was obliged to take refuge on board of a ship, until the arrival of Lord Howe in 1776. After the disastrous battle of Long Island he went through the Island administering the oath of allegiance to the principal inhabitants. In 1777 he took command of the troops and in 1778 gave up civil for military duties. The following year he became Major General and his expedition through Con-



TOMB OF GEN. WILLIAM TRYON
Last British Governor of the Province of New York. Twickenham, England

necticut was attended with great destruction, burning Danbury and other places. During the winter of 1779-80 he was commander of the New York District. He returned to England in 1780, and was elevated to the rank of Lieutenant General in Nov. 1782, but took no further part in the war in America. Lady Tryon was Miss Wake, a relation of the Earl of Hillsborough, First Commissioner of Trade and Plantations.

Wm. Tryon was the last Governor whose power was recognized by the entire Province. General Robertson, who succeeded him, exercised no authority outside of the City of New York, Long Island, Staten Island, and the lower part of Westchester County.

Governor Tryon was the son of Charles Tryon and who married Mary, daughter of Robert Earl Ferrers. Their tomb in the church yard at Twickenham, England, bears the following inscription:

“Here lies the body of
The Right Honorable Lady Mary Tryon
of Bulwick, in Northamptonshire
& daughter of Robert Earl Ferrers.
She died May 17, 1771, aged 68.
Also the body of
Lieut. General William Tryon
son of Charles Tryon
of Northamptonshire, Esqre.
& the above mentioned Lady Mary
Late Governor of the Province.
of New York and Colonel of
the 29th Regiment of Foote
who died the 27th of January 1788
aged 58 years.”

Inscriptions on the sides, state the death of Mrs. Margaret, widow of Governor Tryon, Feb. 1819, aged 86 years. Also of his daughter Mary S. July 26, 1791, aged 30, and Anne July 10, 1822, aged 82.

No portrait of the Governor is known to exist.

HISTORY OF THE MORMON CHURCH

BY BRIGHAM H. ROBERTS, Assistant Historian of the Church

CHAPTER XXX

FOES WITHOUT AND TRAITORS WITHIN—THE HEROISM OF GENERAL A. W. DONIPHAN

GOVERNOR BOGGS from the commencement of the troubles which arose in Upper Missouri between the Saints and the "old settlers" had taken wholly the representations of the latter, as to the cause and origin of those troubles. By those representations alone was he guided in all his official actions. It was in vain that the militia officers of his own appointing reported the fact—after arriving on the scene of action—that the Mormons were acting on the defensive; that they were willing to disband and surrender up every "Mormon" charged with violation of law if the armed forces which had come against them were also disbanded.¹ It was in vain that Gen. David R. Atchison reported again that the "Mormons" appeared "to be acting on the defensive"; that they gave up those charged with breaking the law "with a good deal of promptness;" that the arms and the prisoners they had taken were also given up on demand "with seeming cheerfulness."² In vain Gen. Parks reported to Atchison and he to the Governor, that the "Mormons since his arrival on the scene of conflict had shown no disposition to resist the law or of hostile intentions; that there had been so much prejudice and exaggeration respecting the Upper Missouri troubles that he found things entirely different from what he had been prepared to expect; that he had found a large body of men from the sur-

1. See Doniphan's Report to Atchison Sept. 15, 1838, Documents, etc., p. 24-25.

2. Atchison's Reports, 17 & 20 Sept. Documents, etc., pp. 26-28.

rounding counties, armed and in the field to assist the people of Daviess county against the Mormons, without being called out by the proper authorities";³ that in the event of the conjoint committee of Saints and "old settlers" appointed to consider the question of buying out the latter, it was the declared intention of the "old settlers" of Daviess county "to drive the Mormons with powder and ball."⁴ In vain Gen. Atchison supplemented his former reports by saying that things were "not so bad as represented by rumor;" "that his excellency had been deceived by the exaggerated statements of designing or half crazy men"; that there was "no cause of alarm on account of the Mormons." In vain the committee of citizens of Chariton county reported to Governor Boggs that the only accusation brought against the Saints at De Witt was that they were "Mormons," and that they—the mob—"were not willing for them to remain in DeWitt on that account, and hence were waging a war upon them to remove them from the county." Also the committee represented that they found the Mormons of Dewitt "in the act of defense, begging for peace, and wishing for the civil authorities to repair there and as early as possible to settle the difficulties between the parties."⁵ In vain did Gen. Parks report to Gen. Atchison—and he to Governor Boggs—that the troops ordered into the field "partake in great degree of the mob spirit, so that no reliance can be placed upon them."⁶ In vain did Gen. Atchison report to Governor Boggs, after the "Mormon" capitulation at DeWitt, that the men who had driven the Mormons from DeWitt were then marching into Daviess county with one piece of artillery; "where," he continued, "it is thought the same lawless game is to be played over, and the Mormons to be driven from that county and probably from Caldwell county."⁷ In vain did Gen. Atchison say that "nothing," in his opinion, "but the strongest measures within the power of the executive, will

3. Hence a mob. See Gen. Park's Report to the Gov. Sept. 25, Documents, etc., p. 32.

4. *Ibid.*, 33.

5. Included in Atchison's Report to Governor Boggs Oct. 5th. Documents, etc., pp. 35-36.

6. Atchison's Report to the Governor, Oct. 6th, Documents, etc., p. 39. It has already been noted that Atchison at that time believed Parks mistaken—but the report went to the Governor never-the-less.

7. *Ibid.*—same report.

put down this spirit of mobocracy.”⁸ In vain did General Atchison say: “This state of things which has existed in the counties of Daviess and Carroll for the last two months, has been, in high degree, ruinous to the public, and disgraceful to the state.”⁹ In vain did Gen. Atchison suggest “strong measures to put down this spirit of mob and misrule, or permit them (Saints and mob) to fight it out.”¹⁰ In vain did Gen. Atchison say in sarcasm that if his excellency should “conclude the latter expedient best calculated to produce quiet and order, issue an order to the Major General, 3rd Division [himself] to discharge the troops now engaged in that service.”¹¹

In vain did Gen. Atchison report that nothing short of driving the Mormons from Daviess county would satisfy the parties opposed to them, and this he had no power to do, as he conceived, legally; that there were no troops in Daviess county, nor did he deem it expedient to send any since that would make matters worse; “for, sir,” said he, “*I do not feel disposed to disgrace myself, or permit the troops under my command to disgrace the state and themselves by acting the part of a mob. If the Mormons are to be driven from their homes, let it be done without any color of law, and in open defiance thereof; let it be done by volunteers acting upon their own responsibilities!*”¹²

All these reports and representations, I say, had no effect upon Governor Boggs—he gave heed to it not at all. But when Adam Black and other citizens of Daviess and of Livingston counties made the most extravagant and wild charges as to what “the Mormon banditti” were doing or contemplating, these received most cordial attention,¹³ and upon them the promptest action was taken; and apparent belief in them continued not with standing reports to the contrary by Atchison, Parks and Doniphan, as seen in the foregoing.

When Gen. Samuel D. Lucas, passing DeWitt enroute for Booneville heard rumors of a battle at the former place, he reported on the 4th of October to Governor Boggs as follows:

8. *Ibid.*

9. *Ibid.*

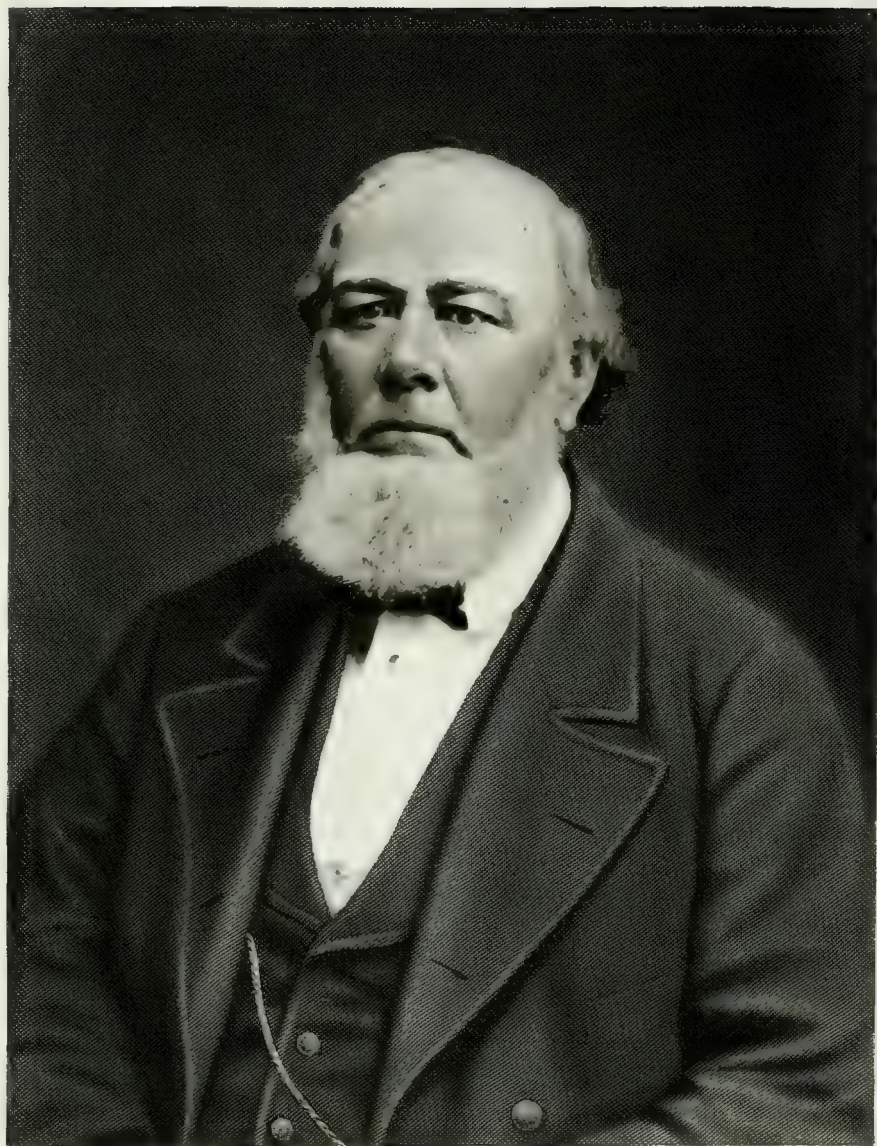
10. *Ibid.*

11. Atchison's Report to the Governor, Oct. 6th.

12. Atchison's Report to Governor Boggs, Oct. 22nd, 1838, Documents, etc.,

pp. 46, 47.

13. See petitions & reports, Documents, etc., pp. 15-20.



Charles C. Rich

“If a fight has actually taken place, of which I have no doubt, it will create excitement in the whole upper Missouri, and those base and degraded beings will be exterminated from the face of the earth. If one of the citizens from Carroll should be killed, before five days I believe that there will be from four to five thousand volunteers in the field against the Mormons, and nothing but their blood will satisfy them. It is an unpleasant state of affairs. The remedy I do not pretend to suggest to your Excellency. My troops, of the 4th division, were only dismissed subject to further orders, and can be called in to the field at an hour’s warning.”¹⁴

Lucas was commander of the fourth division of the state militia, a resident of Jackson county and a participant in the mob violence which drove the Saints from that county five years before.¹⁵ His report of the troubles at DeWitt, his forecast of the unfavorable result to the Saints, and his willingness to be called back into military service to achieve that result, was doubtless as music to the ears of Governor Boggs, who was also a resident of Jackson county and at least a mediate participant with Lucas in the same disgraceful proceedings of five years before. May it not be that these men were of the opinion that the expulsion of the “Mormons” from the entire state of Missouri would in some way be a vindication of the previous unwarranted and shameful expulsion of them from Jackson county?

Statements and reports of like spirit to this from Lucas came to the Governor from General John B. Clark, inclosing appeals from the mob forces investing DeWitt to the people of Howard county; also similar statements from Captain Bogart, whose troops with himself were in insubordination, according to Gen. Parks’ reports; from Wm. P. Peniston; Samuel Venable; Johnathan J. Dryden; James Stone; fourteen citizens of Ray county; Thomas C. Burch; Judge Austin A. King, Adam Black and others. In all these reports, statements and affidavits the movements of the militia under Col. Hinkle and Lyman Wight upon Gallitan and Millport—the two militia officers acting under orders of General Park, be it remembered¹⁶—were made the basis of their misrepresentations.

14. Report of Gen. Lucas to Governor Boggs, Documents, etc., p. 35.

15. See *Ante* chapters XXIII and XXIV.

16. See *Ante* chapter XXIX.

In addition to the exaggerations and misrepresentations of the "old settlers" in Daviess, Ray and other counties, must be added also the misrepresentations of false brethren, who, alarmed at the threatening portents gathering about the Saints, were not equal to the task of standing unmoved in the presence of the approaching storm. On the night of the 18th of October, Thomas B. Marsh, President of the quorum of Twelve Apostles, with Orson Hyde, also one of the Twelve, left Far West and fled to Richmond; where, on the 24th of the month, they made affidavits that went far towards sustaining the false reports of the "old settlers" as to the purposes and actions of the leading Elders and brethren of the Church. The chief items in the affidavit of Marsh were as follows:

"They have among them a company, considered true Mormons, called the 'Danites', who have taken an oath to support the heads of the Church in all things that they say or do, whether right or wrong. Many however, of this band are much dissatisfied with this oath, as being against moral and religious principles. On Saturday last, I am informed by the Mormons, that they had a meeting at Far West, at which they appointed a company of Twelve, by the name of the 'Destruction Company,' for the purpose of burning and destroying, and that if the people of Buncombe came to do mischief upon the people of Caldwell, and committed depredations upon the Mormons, they were to burn Buncombe; and if the people of Clay and Ray made any movement against them, this destroying company were to burn Liberty and Richmond. * * * The Prophet inculcated the notion, and it is believed by every true Mormon, that Smith's Prophecies are superior to the laws of the land. I have heard the Prophet say that he would yet tread down his enemies, and walk over their dead bodies; and if he was not let alone, he would be a second Mohammed to this generation, and that he would make it one gore of blood from the Rocky Mountains to the Atlantic Ocean; that like Mohammed whose motto in treating for peace was, 'the Alcoran or the Sword,' so would it be eventually with us, 'Joseph Smith or the Sword.' These last statements were made during the last summer. The number of armed men at Adam-ondi-Ahman was between three and four hundred."'¹⁷

The affidavit of Orson Hyde was to the effect that most of the

17. Affidavit of Thomas B. Marsh, Documents, etc., published by Missouri Legislature, p. 57-59.

statements "in the foregoing disclosure" he knew to be true, the remainder he believed to be true.¹⁸ This false testimony greatly strengthened the "old settlers" in their misrepresentations, and made the Saints feel the bitterness of betrayal by false brethren.

Meantime the Saints in the main, had gathered into the two settlements of Diahman and Far West and were preparing to defend themselves as best they could.

On the evening of the 24th of October word was brought into Far West of the operations of Captain Bogart's "command"¹⁹

18. *Ibid.* The justest comment made upon the action of these two brethren, and perhaps the most just and intelligent comment that can be made upon their conduct, is that of the late President John Taylor—the Apostle who subsequently was present with Joseph Smith and his brother Hyrum in their martyrdom at Carthage, who was at Far West when Marsh and Hyde defaulted, and cognizant of all matters then taking place, and who at the time of his comment was President of the Church, the third who had held that office. President Taylor said:

"Testimonies from these sources are not always reliable, and it is to be hoped, for the sake of the two brethren, that some things were added by our enemies that they did not assert; but enough was said to make this default and apostasy very terrible. I will here state that I was in Far West at the time these affidavits were made, and was mixed up with all prominent Church affairs. I was there when Thomas B. Marsh and Orson Hyde left there; and there are others present who were there at the same time. And I know that these things, referred to in the affidavits, are not true. I have heard a good deal about Danites, but I never heard of them among the Latter-day Saints. If there was such an organization, I never was made acquainted with it. * * * Thomas B. Marsh was unquestionably instigated by the devil when he made this statement, which has been read in your hearing [the foregoing affidavit]. The consequence was, he was cut off from the Church. * * * It would be here proper to state, however, that Orson Hyde had been sick with a violent fever for some time, and had not yet fully recovered therefrom, which, with the circumstances with which we were surrounded, and the influence of Thomas B. Marsh, may be offered as a slight palliation for his default. * * * Suffice it to say, in addition to what has previously been stated, he was cut off from the Church, and of course lost his apostleship; and when he subsequently returned, and made all the satisfaction that was within his power, he was forgiven by the authorities and the people and was again re-instated in the quorum." (Address on Succession in Priesthood, 1881, Taylor, pp. 8-18.

Schuyler Colfax, vice-president of the United States, in his discussion with the late President John Taylor on the "Mormon Questions" quoted these Marsh-Hyde affidavits, and Elder Taylor in reply said: "I am sorry to say that Thomas B. Marsh did make that affidavit, and that Orson Hyde stated that he knew part of it to be true and believed the other; and it would be disingenuous in me to deny it; but it is not true that these things existed, for I was there and knew to the contrary; and so did the people of Missouri, and so did the governor of Missouri. How do you account for their acts? Only on the score of the weakness of our common humanity. We were living in troublous times, and all men's nerves are not proof against such shocks as we then had to endure. I cannot defend the acts of Thomas B. Marsh or Orson Hyde, no more than I could defend the acts of Peter when he cursed and swore and denied Jesus; nor the acts of Judas who betrayed him". (The Mormon Question, the Taylor Colfax Debate, 1869, p. 19.).

19. This "command" while consisting supposedly of State militia, made up of the mutinously inclined troops commanded by Bogart before DeWitt, were called out at first upon the authority of Bogart alone, ostensibly to patrol the line of Caldwell and Ray county to "prevent, if possible, any outrage on the county of Ray." In the same communication from which I quote, Bogart reports to

in the south part of Caldwell county. The "command," about forty in number, called at the home of a brother Parsons, living on the east branch of Log Creek, and ordered him to leave by ten o'clock the next morning; Bogart saying that he expected to "give Far West hell," before noon of the following day, provided he joined forces with Niel Gilliam, who had raised men from Platte and Clinton counties—west of Clay and Caldwell respectively—to march against the "Mormons;" and who would camp within six miles of Far West that night, while Bogart himself would go into camp on Crooked River. The same day a detachment of Bogart's men entered the house of a brother Pinkham, took three men prisoners, also took four horses, some fire arms and food, and warned Pinkham to leave the state at once or they "would have his d—d old scalp." These reports were brought into Far West about midnight; and Judge Elias Hibee—the first judge in Caldwell county, and the highest civil authority therein, and the officer in whom the state law vested the right to call upon the militia to enforce the law²⁰—immediately called upon Col. George M. Hinkle to raise a company of militia to disperse the mob and rescue the prisoners. This was done and the command given to Captain David W. Patten, who at once marched upon Bogart's encampment on Crooked River, where he arrived at break of day on the 25th. Dismounting his company some distance from the river Patten formed them into three divisions, and advanced. They encountered one of Bogart's picket-men who fired upon them, mortally wounding young Patrick O'Branion. Patten ordered a charge upon the enemy and the conflict was hand to hand. Bogart's forces broke and fled, leaving their horses and camp equipment. In the charge Captain Patten was mortally wounded, Gideon Carter instantly killed, and nine others were wounded. Of the

Gen. Atchison, that "the people of Ray are going to take the law into their own hands and put an end to the Mormon War". (Bogart's Report to Atchison, Documents, etc., p. 48). On reception of Bogart's report of the 23rd Gen. Atchison under the same date ordered Bogart to "range the line between Caldwell and Ray counties" with his "company of volunteers, and prevent, if possible, any invasion of Ray county by any persons in arms whatever." This "order" of Atchison's of course gave Bogart's command a legal standing which before it did not possess; the Caldwell county officials were ignorant of Atchison's order, and their proceedings on the 25th of October were against Bogart's command as a mob. Atchison's "Order" to Bogart is to be found in Documents, etc., p. 108.

20. Documentary History of the Church, Vol. III, p. 445.

casualties in Bogart's forces the most reliable account fixes the number as one killed—Moses Rowland—and six wounded.²¹

The results of this engagement between the company of Caldwell militia and Bogart's patrol was greatly exaggerated at the time. "The news of the fight on Crooked River spread rapidly," says one account, "all the Gentiles in the northern part of the county abandoned their homes and fled southward near Richmond and elsewhere for safety, believing that a general raid upon them by the Mormons was imminent. The Mormons had fired the first gun, and were to be considered the aggressors, and wherever the news was received there was a general and vehement demand that they be at once 'put down,' severely punished for what they had done, and effectually disposed of."²²

Wiley C. Williams and Amos Reese reporting the Crooked River encounter to General John B. Clark, who had been appointed to the chief command of the forces against the "Mormons," declared that Bogart's command of fifty had been attacked by "three hundred Mormons;" ten had been killed; many others wounded, most of the remainder had been taken prisoners, and these informants had but little hope but "these wretched desperadoes—will kill all those prisoners!" Also they reported that the "Mormons" had determined to attack and burn Richmond that night, and they had but little doubt but that they would attempt it; the women and children had all left Richmond and were fleeing for protection into surrounding counties. Of course the report closed with a strong plea for something to be done and that speedily to stop these alleged proceedings of the "Mormons."²³

Messrs. Wiley and Reese were already enroute to the Governor with the reports of the Gallatin—Milport affair—(having been appointed to that mission by a mass meeting of the citizens of Richmond, held on the 24th day of October)—when E. M. Ryland sent after them rumors that reached Richmond of the Crooked River encounter. These were substantially the same as those already in the possession of Wiley and Reese. They were

21. History of Caldwell and Livingston Counties, National Historical Co. (1886) pp. 129-30; and Documentary History of the Church, Vol. III, pp. 169-171.

22. History Caldwell County, National Historical Co. (1886), p. 131.

23. Report of Wiley & Rees to Governor Boggs, Documents, etc., pp. 59, 60.

urged by Ryland to hasten their journey to Jefferson City "spreading the reports of 'Mormon' outrages as they went, calling upon volunteers to flock to the scene of conflict as fast as possible." Such volunteers were to be instructed to rendezvous with the full determination to exterminate the "Mormons," or expel them from the state enmass. "The Mormons must leave the state," said the communication, "or we will, one and all. And to this complex it must come at last."²⁴

Sashiel Woods and Dixon reported to Governor Boggs from Carrolton (Carrolton county, east of Ray), that by express from Ray county, they had learned that "Captain Bogart and all his company, amounting to between fifty and sixty men were massacred by the 'Mormons' at Buncombe, twelve miles north of Richmond, except three. This statement you may rely on as being true and last night they expected Richmond to be laid in ashes this morning. * * * We know not the hour or minute we will be laid in ashes—our county is ruined—for God's sake give us assistance, as quick as possible."²⁵

Meantime, the Caldwell militia having executed the order of the Judge of the county, having dispersed Bogart's command and rescued the three prisoners, so far from meditating an attack upon Richmond, were mournfully returning to Far West with their own killed and wounded, where they arrived on the 26th, and the day following David W. Patten²⁶ was buried with military honors.

Before the arrival of Messrs. Wiley and Rees in Jefferson City, Governor Boggs, acting upon the false reports that reached him concerning the affairs at Gallitan and Millport,

24. E. M. Ryland to Messrs. Wiley & Rees, Documents, etc., pp. 59, 60.

25. Woods and Dickson to Governor Boggs, Documents, etc., p. 60.

26. David W. Patten was a member of the Quorum of the Twelve Apostles and the son of Beneino Patten and Abigail Cole. He was born about the year 1800 at Theresa, near Indian River Falls, New York. In boyhood he left home and went to Michigan, where in 1828 he married Phoebe Ann Babcock. He first heard of the Book of Mormon in 1830, but did not join the Church until June, 1832. He was ordained an Elder and became one of the most active Missionaries of the New Dispensation. In all his labors he manifested a most intrepid spirit, and when he was appointed a captain in the Caldwell county militia, he was given the sobriquet of "Captain Fearnought." Remarking upon his character, Joseph the Prophet said: "Brother Pattten was a very worthy man, beloved by all good men who knew him. He was one of the Twelve Apostles, and died as he had lived, a man of God, and strong in the faith of a glorious resurrection, in a world where mobs will have no power or place. One of his last expressions to his wife was—"Whatever you do else, O! do not deny the faith."

ordered into the field a large force of the state militia. Under date of 26th of October he ordered out four hundred men from each of the following divisions: the 1st, 4th, 5th, 6th, and 12th; making a body of 2,000 troops. At the same time Gen Willock of the 14th division was ordered to raise 500 men. Generals Doniphan and Parks were ordered to raise each five hundred men; but no steps were taken by them to carry out this order, doubtless for the reason that the rapid development of events gave them no opportunity to do so, and they were already in the field each in command of a large force, about eighteen hundred men in the two commands. The above military orders were issued by Governor Boggs in response to an application of the citizens of Daviess county to the Governor "for protection, and to be restored to their homes and property:" "with intelligence that the Mormons, with an armed force, have expelled the inhabitants of that county from their homes, have pillaged and burnt their dwellings, driven off their stock, and were destroying their crops. That they [the Mormons] have burnt to ashes the towns of Gallitan and Millport in said county; the former being the county seat of said county, and that there is not now a civil officer within said county."²⁷

Shortly after the above order was issued Messrs. Wiley and Rees arrived at Jefferson City with their reports of the Crooked

27. Governor Boggs Order to Gen. John B. Clark, October 26, 1838, Documents, etc., pp. 62, 63.

One can not help pausing a moment to notice the difference in the action of the state authorities in two cases that would have been alike, provided the report of those parties who fled from Daviess county, by the light of their burning homes, (fired by their own hands) had been true. In 1833 the saints were driven by brute force and under circumstances the most distressing, from their possessions in Jackson county; and not only was their property destroyed, but one was killed and a number of others wounded, while the number that was exiled amounted to twelve hundred. The state authorities had the fullest evidence of these outrages—in fact the very man who at the time of the Daviess county troubles was governor of the state, was on the ground and knew all the circumstances of cruelty and outrage. But when those things came before the state authorities, it took more than two whole years of correspondence to come to an understanding of what could and should be done, and then the decision was that the exiles would do well to move still further on, get entirely away from that section of the country where they had made their homes, in fact, as the prejudices of the people were set against them, and the popular sentiment in this country was *vox Dei!* But now, when a mere rumor comes that the "Mormons" have been guilty of inflicting upon the Missourians the outrages which aforetime had been perpetrated against them, there is no halting on the part of the authorities, but on the contrary the most vigorous efforts are put forth to punish the reputed offenders, and more than three thousand troops are called into the field—besides the eighteen hundred already there—to reinstate the supposed exiles!

River encounter, the supposed determination of the "Mormons" to burn Richmond, added to their false reports of the Gallitan-Millport affair. Upon this showing Governor Boggs issued a second order to General Clark, under date of the 27th of October, known as his "Order of Extermination;" which, on account of its importance in our history, is given *in extenso*:

Governor Boggs Order of Extermination.

Headquarters of the Militia,
City of Jefferson, Oct. 27, 1838.

Gen. John B. Clark.

Sir—Since the order of this morning to you, directing you to cause four hundred mounted men to be raised within your Division, I have received by Amos Rees, Esq., of Ray county, and Wiley C. Williams, Esq., one of my aids, information of the most appalling character, which entirely changes the face of things, and places the "Mormons" in the attitude of an open and avowed defiance of the laws, and of having made war upon the people of this state. Your orders are, therefore, to hasten your operations with all possible speed. *The "Mormons" must be treated as enemies, and must be exterminated or driven from the state if necessary for the public peace—their outrages are beyond all description.* If you can increase your force, you are authorized to do so to any extent you may consider necessary. I have just issued orders to Maj. Gen. Willock, of Marion county, to raise five hundred men, and to march them to the northern part of Daviess, and there unite with Gen. Doniphan, of Clay, who has been ordered with five hundred men to proceed to the same point for the purpose of intercepting the retreat of the "Mormons" to the north. They have been directed to communicate with you by express, you can also communicate with them if you find it necessary. Instead therefore of proceeding as at first directed to reinstate the citizens of Daviess in their homes, you will proceed immediately to Richmond and then operate against the "Mormons." Brig. Gen. Parks of Ray, has been ordered to have four hundred of his Brigade in readiness to join you at Richmond. The whole force will be placed under your command.

I am very respectfully,
your ob't serv't,

L. W. BOGGS, Commander-in-Chief.²⁸

Thus truth was eclipsed by falsehood; and Governor Boggs,

²⁸. Documents, etc., p. 61.

no longer acting as the executive of a great commonwealth anxious to enforce the law and restore peace, changed his orders to restore the "old settlers" of Daviess county to their homes, to a declaration of war upon the "Mormons,"—a war of extermination, the only alternative to which was banishment from the state. Nor did time for reflection change the determination of Governor Boggs; for writing to General Clark under date of November 1st, he, in effect, renewed the order for extermination: "It was considered by me," he writes to the General, "that full and ample powers were vested in you to carry into effect my former orders. The case is now a very plain one—the 'Mormons' must be subdued and peace restored to the community. You will therefore proceed without delay to execute the former orders. * * * The ringleaders of this rebellion should be made an example of; and, if it should become necessary for the public peace, *the Mormons should be exterminated or expelled from the state.*"²⁹

The Exterminating Order was forwarded by Gen. Clark to General Atchison and Lucas on the 30th, with instructions "to act for the best until he could arrive."³⁰ The effect of the arrival of this order to the officers in command of the militia forces we have already seen: Atchison either considered himself "dismounted," or else "withdrew" from the military force, "declaring that he would be no party to the enforcement of such inhuman commands."³¹ This left Gen. Lucas in command of the militia in the field and he at once began the movement upon Far West.

On the day that the militia under Lucas were seen approaching Far West, came the report to its citizens of the massacre at Haun's Mill. Haun's mill was situated on Shoal Creek, some ten or twelve miles due east of Far West. Here about thirty families of the Saints had located, several of which had but re-

29. Documents, etc., pp. 76, 77.

30. *Ibid.*, p. 76. Governor Boggs, however, informed Clark rather curtly in the above quoted letter that neither Atchison nor Lucas had been "called into service under the late order," except that Lucas had been ordered to raise four hundred men in his own division; and the "privilege" was offered him of commanding the troops from his own division, though subject to Clark's orders. (Documents, etc., p. 77). For some reason Gov. Boggs preferred that Clark should carry out the Order of Extermination.

31. History of Caldwell county, National Historical company (1886) p. 133.

cently arrived from the eastern states, and were camped in their wagons and tents. Two days before the massacre these people had entered into a treaty of peace with Col. William O. Jennings of Livingston county. Each party to the treaty was to act with forbearance and exert itself to prevent hostilities. Two days later, several companies of "state militia," numbering two hundred and forty in all, led by Col. Wm. O. Jennings,³² Nehemiah Comstock, Thomas R. Ryan and William Mann rushed upon their encampment and began firing upon them; and though the Saints offered but slight resistance and cried for peace, no quarter was granted. The utmost confusion existed, women and children fled in every direction, mainly to the woods; while the men especially such as had arms, fled to the old blacksmith shop near the mill as a place of rendezvous from which they could make such defense as was possible against such overwhelming odds. The blacksmith shop was quickly surrounded and volley after volley fired into it; and such was the crowded condition of the shop and so numerous the crevices through which the assailants could fire that it proved to be a death trap rather than a place of safety. It was soon abandoned, and in the attempt to escape from it a number were shot down. In all seventeen were killed outright and twelve severely wounded.³³

Some of the murders in this massacre were wantonly barbarous. The History of Caldwell county, published at St. Louis by the National Historical Company, (1886) and frequently quoted in these pages, recited some of these atrocities in the following paragraph:

"Esq. Thos. McBride was an old soldier of the Revolution. He was lying wounded and helpless, his gun by his side. A militiaman named Rogers³⁴ came up to him and demanded it.

32. "What ever of merit there was in the attack on Haun's Mill, and whatever of glory attaches to the famous history must be given to Col. Wm. O. Jennings mainly. * * * True Jennings' subordinates must be given their share in proportion to the part they bore, but Col. Jennings stands among them all as Saul among his fellows, the Ajax Telemachus of the conflict, the Hector of the fight! (History of Caldwell county, National Historical Company,—1886—p. 151).

33. The names of the killed and wounded are given both in the History of Caldwell county (p. 149, 150) and also in the Affidavit of Joseph Young who witnessed the Massacre. Documentary History of the Ch. Vol. III, pp. 183, 186.

34. The History here quoted particularizes respecting the identity of this man in a foot note in the following manner: "Either a brother of a man who kept a ferry across Grand River, near Gallitan, or else the ferry man himself."

'Take it,' said McBride. Rogers picked up the weapon, and finding that it was loaded, deliberately discharged it into the old man's breast. He then cut and hacked the old veteran's body with a rude sword, or 'corn knife' until it was frightfully mangled. Wm. Reynolds, a Livingston county man, killed the little boy Sardi Smith, 10 years of age. The lad had run into the blacksmith shop and crawled under the bellows for safety. Upon entering the shop the cruel militiamen discovered the cowering, trembling little fellow, and without even demanding his surrender fired upon and killed him, and afterwards boasted of the atrocious deed to Chas. R. Ross and others. He described, with fiendish glee, how the poor boy struggled in his dying agony, and justified his savage and inhuman conduct in killing a mere child by saying, 'Nits will make lice, and if he had lived he would have become a Mormon.' ³⁵

As soon as all in sight were killed or wounded the militia proceeded to loot the houses, wagons and tents of their victims, taking everything of value, and even in some cases stripped the dead.³⁶ They drove off horses and wagons, loaded with plunder, and left the widows and orphans of the slain destitute of the means of substance.³⁷

When night settled down over the scene those who had fled to the woods returned to learn the fate of their relatives and friends, and to care for the wounded. The next day, for want of time to provide a more decent burial—for they knew not what moment they might be again assailed—the survivors of the massacre gathered up the dead and threw their

35. History of Caldwell county, p. 149.

36. Affidavit of Joseph Young, Documentary History of the Church, Vol. III, pp. 183-186.

37. The charge of "looting" the settlement at Hauns Mill was denied by some of the "militia" and their friends. In the History of Caldwell county the matter is discussed *pro-et-con* as follows: "After the engagement was over, and all the able-bodied male Mormons had been killed, wounded or driven away, some of the militiamen began to 'loot' the houses and stables at the mill. A great deal of property was taken, much of it consisting of household articles and personal effects, but just how much can not now be stated. The Mormons claim there was a general pillage, and that in two or three instances the bodies of the slain were robbed. Some of the militia or their friends say only two or three wagons were taken, one to haul off the three wounded, and sufficient bedding to make their ride comfortable; but on the other hand two of those who were in a position to know say that the Mormon hamlet was pretty thoroughly rifled. One man carried away an empty 10 gallon keg, which he carried before him on his saddle and beat as a drum. Another had a woman's bonnet, which he said was for his sweetheart. Perhaps a dozen horses were taken." p. 148. The "keg" and "bonnet" incident will indicate the spirit in which this "campaign" was waged against the Saints.

bodies into an unfinished well, which was afterwards filled up, and no one now knows the exact spot of interment of these victims of misplaced hate.

This butchery was doubtless the first fruits of Governor Boggs' Exterminating Order. True, the History of Caldwell county says that Col. Jennings "made the attack upon his own responsibility, without orders from Governor Boggs, or any superior authority;" but the historian makes the startling assertion that "the Governor afterwards approved what was done!"³⁸ But what was this massacre at Haun's Mill but carrying into effect the Governor's Exterminating Order of the 27th of October? And why did Jennings change his pacific policy bound by special treaty, to one of assault and massacre towards these people at Haun's Mill? The only answer is that learning of the Governor's Exterminating Order he forthwith proceeded to execute it. That he knew of that order admits of no doubt, since it was issued on the 27th of October; on the 28th it was received by Gen. Clark and forwarded to Generals Atchison and Lucas on the 30th;³⁹ by which time it was doubtless known to all the commands gathering about Far West, to Jennings' and Comstocks' with the rest, only they acted with more promptness than the other commanders of militia companies. In History the Haun's Mill Massacre will stand as an incident in direct sequence of the issuance of Governor Bogg's Order of Extermination.⁴⁰

Naturally it was with grave alarm that the citizens of Far West saw the large forces of militia approach their town on the afternoon of October 30th. They were ignorant of the several orders issued by Governor Boggs against them, and hence were not certain if the forces approaching were coming to protect them, or were a mob to destroy them.⁴¹

There is some confusion as to the order of events for the next two or three days, owing to the annals on both sides being ap-

38. History of Caldwell county, p. 151.

39. See Report of Clark to Gov. Boggs, Documents, etc., pp. 75, 76.

40. "A blot that will remain a blot, in spite
Of all that grave apologists can write;
And tho a Bishop try to cleanse the stain,
He'll rub and scour the crimson spot in vain."

41. Affidavit of Hyrum Smith, Documentary History of the Church, Vol. III, p. 409.

parently defective by the omission or the confusion of some events that took place; but as nearly as the accounts may be harmonized the following is the order of events: On the approach of the several commands of militia under General Lucas on the evening of the 30th of October—the sun about one hour high—the militia of Caldwell county in Far West was drawn up in line just south of the city, the number as estimated was between six and eight hundred, to oppose the advance of the formidable enemy. Both parties sent out a flag of truce, under which the representatives of the respective sides met. In answer to the inquiry of the citizens of Far West as to whom these hostile forces were and what their intentions, the answer was that they were state militia ordered out by the Governor to stop the further depredations of the Mormons; that they wanted three persons out of the city before they massacred the rest. The three persons named—one of them, Adam Lightner, was not a Mormon—refused to leave the city.⁴² After this there is reported an interview between Charles C. Rich⁴⁴ and General Doniphan—Rich was also the first flag-of-truce-man—in which Rich begged that hostilities might be deferred until morning. Doniphan pledged himself that it should be so, except that he would not be responsible for the actions of Neil Gilliam's forces who had just joined the main army and were going into camp. Gilliam's

42. The parties named were Adam Lightner and John Cleminson and wife. Affidavit of Hyrum Smith, Documentary History of the Church, Vol. III, p. 410.

44. Charles Coulson Rich mentioned in the text above was the son of Joseph Rich and Nancy O. Neal. He was born Aug. 21st, 1809, in Campbell county, Kentucky. He became a member of the Church while residing in Tazewell county, Illinois, April, 1832, and shortly afterward was ordained an Elder in the Church. He moved with his father's family to Missouri in 1836, where he married Sarah D. Pea, Feb. 11th, 1837. He was second in command at the Crooked River fight, and when David W. Patten, fell mortally wounded, and while bullets were flying about him thick and fast, he laid down his sword and administered the ordinance of the laying on of hands for the healing of the sick to his dying comrade; then arose and led the charge upon the enemy. When going out with a flag of truce on the occasion mentioned in the text above he was fired upon by Captain Bogart of the Missouri militia, the flag of truce he carried apparently being no protection to him from assault. Subsequently, namely in 1849, he was ordained one of the Twelve Apostles by Brigham Young, and we shall see in the progress of our history that Charles C. Rich was a prominent figure in all the subsequent affairs of the Church. He was a man of high character, of sound judgment, which made him invaluable as a Counsellor; of indomitable courage, he was a natural leader of men. He was one of the Statesman-Pioneers which the "Mormon Church" has given to the Intermountain West of the United States. His family is numbered among the most prominent and honorable in the Church. He died at Paris, Idaho, November 17th, 1883. A steel engraving from a portrait, taken late in life, accompanies this chapter.

forces were from the west, painted and decorated as Indians, and frankly more mob than militia; hence the exception made by Doniphan. Rich also desired to see General Atchison, but Doniphan informed him that Atchison had been "dismounted" by order of Governor Boggs for being too friendly to the Mormons, and he had retired to his home in Clay county.⁴³ This ended the negotiations for the day. During the night the citizens in Far West were reinforced by the arrival of Col. Lyman Wight and a small company of men from "Diahman."

The next morning Col. Hinkle, the highest militia officer in Caldwell county, sent a request to Gen. Lucas for an interview. That officer however, was engrossed in receiving and encamping constantly arriving troops—among them the companies of militia fresh from the massacre at Haun's Mills—that he refused to meet Col. Hinkle until two o'clock in the afternoon. At that time with his staff officers he met Col. Hinkle, "and some other Mormons,"⁴⁵ at the place agreed upon. Hinkle stated his object to be—according to Lucas—to see "if there could not be some compromise or settlement of the difficulty without a resort to arms." He was furnished with a copy of Bogg's Exterminating Order, and Lucas proposed to him the following terms of capitulation:

- "1st. To give up their leaders to be tried and punished.
2. To make an appropriation of their property, all who had taken up arms, to the payment of their debts, and indemnity for damage done by them.
3. That the balance should leave the state, and be protected out by the militia, but to be permitted to remain under protection until further orders were received from the Commander-in-Chief.
4. To give up the arms of every description to be receipted for."

"Col. Hinkle agreed to this proposition readily," says Lucas, "but wished to postpone the matter until morning." "I then told him," says Lucas, "that I would require Joseph Smith, Jr.,

43. *Ibid.* The reports of Lucas are silent as to these first meetings under flags of truce.

45. These "other Mormons" were Reed Peck and John Corrill, according to Corrill's statement (*Brief History of the Church*, Corrill, 1839, p. 40). Hinkle seems at this point to have taken matters into his own hands.

Sidney Rigdon, Lyman Wight, Parley P. Pratt and George W. Robinson as hostages for his faithful compliance with the terms, and would pledge myself and each of the officers present, that in case he, after reflecting and consulting upon the propositions during the night declined acceding to them, that the hostages should be returned to him in the morning, at the same point they were received, but it was understood, in case they did comply, they were to be held for trial as part of the leaders called for by the first stipulation; I then gave him until one hour by sun in the evening to produce and deliver them.”⁴⁶

Col. Hinkle returned to Far West and reported to Joseph Smith that the officers of the militia desired to have an interview with him and some others—naming those stipulated by Gen. Lucas—hoping that the difficulties might be settled without carrying into effect the Governor’s Orders. To this “interview” the brethren named readily assented, but judge of their surprise, when, on meeting Gen. Lucas and the troops that came forward from the main body to receive them, Col. Hinkle said: “General, these are the prisoners I agreed to deliver up.”⁴⁷ They were then surrounded and marched off as prisoners. On reaching the enemy’s encampment, ninety men were called out to guard them. Thirty were on this duty at a time: two hours on and four hours off. The prisoners lay in the open air with nothing as a covering, and they were drenched with rain before morning. All night long they were mocked and taunted by the guard, who demanded signs, saying, “Come Mr. Smith, show us an angel, give us some of your revelations, show us a miracle;”⁴⁸ mingling these requests with the vilest oaths. Sidney Rigdon had an attack of apoplectic fits, which afforded much merriment to the brutal guard. All night long the prisoners were compelled to listen to the filthy obscenity of those who watched them, and hear them relate their deeds of rapine and murder, and boast of their conquest over virtuous wives and maidens by brute force. Thus the wretched night passed away.

46. Lucas Report to Gov. Boggs; Documents, etc., p. 73.

47. Affidavit of Hyrum Smith, Documentary History of the Church, Vol. III, p. 413. *Ibid.*, Affidavit of Lyman Wight, p. 445. *Ibid.*, Joseph Smith, Jr., p. 189. Autobiography of Parley P. Pratt, pp. 203, 204.

48. P. P. Pratt’s Autobiography, p. 204.

The morning following, which was the 1st of November, Hyrum Smith and Amasa Lyman were also brought into the mob's camp as prisoners.

According to Hinkle's agreement, the militia in Far West were marched out of the city the next morning and grounded their arms, which were taken possession of by Lucas, although they were not state arms, but were the private property of the men who carried them.

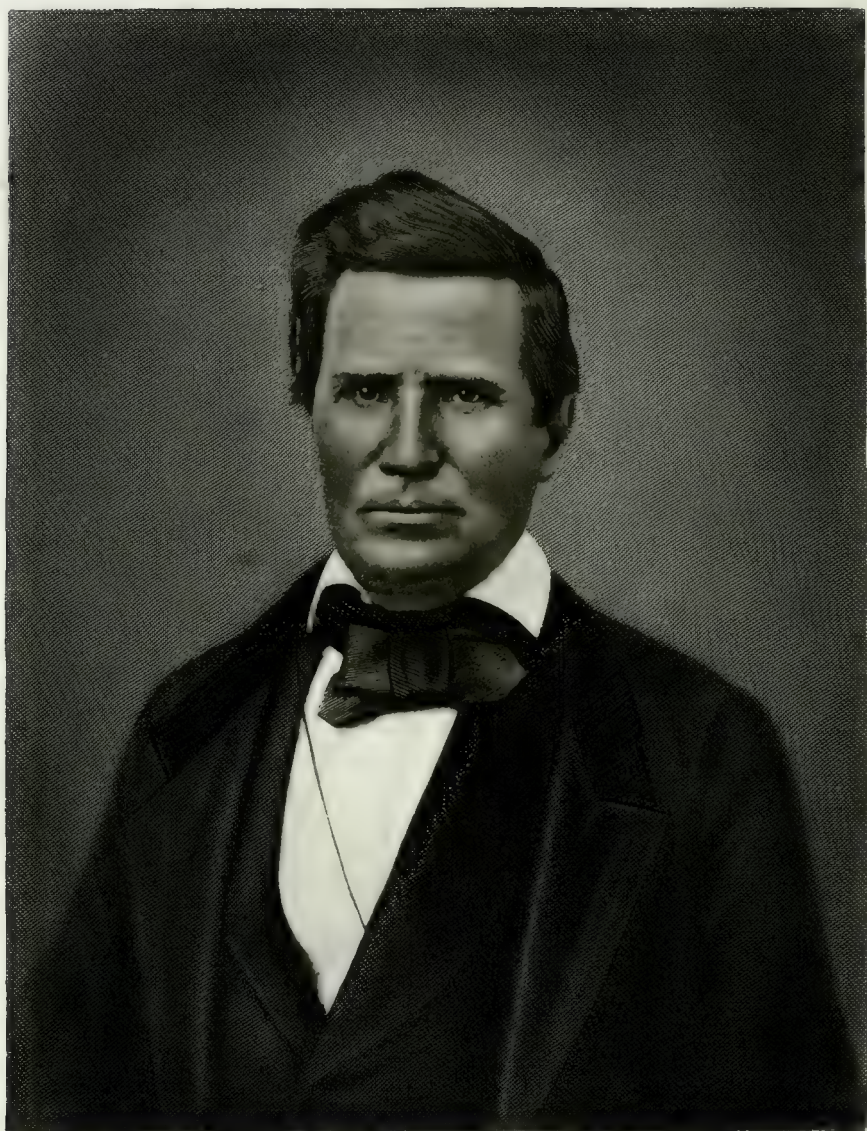
The mob was now let loose upon the unarmed citizens of Far West, and under the pretext of searching for arms they ransacked ever house, tore up the floors, upset haystacks, wantonly destroyed much property, and shot down a number of cattle just for the sport it afforded them. The people were robbed of their most valuable property, insulted and whipped; but this was not the worst. The chastity of a number of women was defiled by force; some of them were strapped to benches and repeatedly ravished by brutes in human form until they died from the effects of this treatment.⁴⁹

During the night a court-martial was held, consisting of some fourteen militia officers, among whom were Colonel Hinkle and about twenty priests of the different denominations. Sashiel

49. Documentary History of the Church, Vol. III. Affidavit of Hyrum Smith, p. 422. Also affidavit of Brigham Young. *Ibid.*, 434; and Sidney Rigdon, p. 464. Statement of Joseph Smith's Journal, *Ibid.*, pp. 192, 202.

As to the treatment received by the people of Far West after their surrender, and giving up their arms the following communication from M. Arthur Esq., addressed to the representatives in the legislature from Clay county under date of November 29th, 1838, will bear witness:

"Respected Friends:"—Humanity to an injured people prompts me at present to address you this. You were aware of the treatment (to some extent before you left home), received by that unfortunate race of beings called the Mormons, from Daviess, in the form of human beings inhabiting Daviess, Livingston, and a part of Ray county; not being satisfied with the relinquishments of all their rights as citizens and human beings, in the treaty forced upon them by General Lucas, by giving up their arms, and throwing themselves upon the mercy of the state, and their fellow-citizens generally, hoping thereby protection of their lives and property, are now receiving treatment from those demons, that makes humanity shudder, and the cold chills run over any man, not entirely destitute of any feeling of humanity. Those demons are now constantly strolling up and down Caldwell county, in small companies armed, insulting the women in any and every way, and plundering the poor devils of all the means of subsistence (scanty as it was) left them, and driving off their horses, cattle, hogs, etc., and rifling their houses and farms of every thing therein, taking beds, bedding, wardrobe and all such things as they see they want, leaving the poor Mormons in a starving and naked condition. These are facts I have from authority that cannot be questioned, and can be maintained and substantiated at any time." (Documents, etc., p. 94).



COLONEL A.W. DONIPHAN

Woods and Bogart, the Presbyterian ministers, were among them; and in addition to these spiritual dignitaries, there was the circuit judge, Austin A. King and the district attorney, Mr. Birch. The decision of the court was that the prisoners should be shot the following morning at eight o'clock, in the public square of Far West, as an example to the "Mormon" people.

Colonel Hinkle visited Hyrum Smith and told him that a court-martial had been held and that he had contended for his (Hyrum's) acquittal, but it availed nothing, and all were to be shot the next morning. General Wilson had made an effort during the day to corrupt Lyman Wight, and get him to testify to something against Joseph Smith, but in this he failed. About the time Hinkle went to Hyrum, General Wilson took Wight aside and told him the decision of the court-martial. "Shoot and be damned," said Wight. About this time General Doniphan came up to Wilson and Wight and, addressing the latter, he said: "Colonel, the decision is a damned hard one, but I wash my hands against such cold-blooded murder." And he further said that he intended to remove his troops the following day as soon as light, that they should not witness such heartless murder. General Graham and a few others, whose names unfortunately have not been preserved, had voted against the decision of the court-martial, but it availed nothing.

The bold stand taken by General Doniphan in threatening to remove his troops and denouncing the execution of the prisoners as cold-blooded murder, alarmed Lucas, and he changed his mind about executing the decision of the court-martial; in fact he revoked the decree, and placed the prisoners in charge of General Wilson with instructions to conduct them to Independence.⁵⁰

The fact of the court-martial and the sentence passed upon the prisoners does not rest upon Mormon testimony alone—although Lucas in his report to Governor Boggs is silent upon the subject. In the history of Caldwell county the matter is related as follows:

"The militia officers were not trifling; they really wished and

50. See affidavits of Hyrum Smith, Lyman Wight, Parley P. Pratt and Sidney Rigdon *et al*, Documentary History of the Church, Vol. III, Appendix, pp. 404-466.

intended to kill Smith and his companions in cold blood, and there were many threats and symptoms that if they were not formally executed they would be assassinated. Yielding to the pressure upon him, it is alleged that General Lucas, at about midnight, issued the following order to General Doniphan, in whose keeping the hostages were:

“ ‘*Brigadier-General Doniphan: Sir:—*You will take Joseph Smith and the other prisoners into the public square of Far West, and shoot them at 9 o’clock to-morrow morning.

[Signed.] “ ‘SAMUEL D. LUCAS,
“ ‘Major-General Commanding.

“ ‘But General Doniphan, in great and righteous indignation, promptly returned the following reply to his superior:

“ ‘It is cold-blooded murder. I will not obey your order. My brigade shall march for Liberty tomorrow morning, at 8 o’clock; and if you execute these men, I will hold you responsible before an earthly tribunal, so help me God.

“ ‘A. DONIPHAN,
Brigadier-General.⁵¹

* * * Flagrantly insubordinate as was Gen. Doniphan’s refusal he was never called to account for it.”

It is quite possible that Lucas was conscious that he was acting largely upon his own responsibility, and had no direct authority from the Governor for his procedure; that it was to Gen. Clark and not to him that the execution of the “Exterminating Order” had been entrusted; and when afterwards he learned—as shortly he did—that “neither General Atchison nor Lucas had been called into service under the late order,”⁵² (the order of the 27th of October, the Exterminating Order), Lucas doubtless felt that he himself was well out of an awkward predicament, without attempting to discipline Gen. Doniphan for his insubordination.

NOTES

NOTE I. ALEXANDER W. DONIPHAN: The hero of the Chi-

51. History of Caldwell county, p. 137. The History also adds: “The Mormons have always remembered Gen. Doniphan’s humanity on this occasion, as well as on others, and when, in 1874, he went to Salt Lake City, he was received with much feeling, and shown every regard and attention by Brigham Young and the other authorities of the Church and city, and by even the masses of the people.”

52. Except that “Gen. Lucas was directed to raise four hundred men in his division and place them under the command of a brigadier General.” See Boggs communications to Gen. Clark, of 1st and 6th of November, Documents, etc., pp. 76, 77; and p. 69.

huahua campaign of the Mexican War was born in Mason county, Kentucky, July 9, 1808. His father, Joseph Doniphan, was a native of King George, and his mother of Fauquier county, Virginia. His mother's maiden name was Anne Smith, and her paternal ancestor was among the original colonists at Jamestown, Virginia, in 1607. His first ancestor in America of the name of Doniphan came from England to Virginia near the middle or latter part of the seventeenth century, and settled near what is known as the Northern Neck. The given name of that ancestor was Mott. * * *

"It is a tradition in the Doniphan family (a tradition which I neither avouch nor deny), traceable and fully believed by its members for more than a century, that it is of Spanish origin. According to the tradition, their ancestor, who separated himself from the parent stock in Spain, was a young Castilian, of noble blood, who served under Ferdinand and Isabella in the conquest of Granada, and was knighted by King Ferdinand for gallantry on the field. * * *

* * * A lineage which is traceable to the chivalry of the battle-field and the highest devotion to conviction, will always command the respect and admiration of men. The seven hundred years of battle between the Spaniards and the Moors left the impress of supreme courage, undoubting faith and unconquerable will on the former, which easily made of them the foremost men of all Christendom four centuries ago. Perhaps the tradition is true. If so, I can explain without looking further, the tinge of old romance in Col. Doniphan's character, his wonderfully delicate respect for women, and his stern adherence to sentiments of honor. * * *

* * * At the age of fourteen years he was entered a student at Augusta College, in Bracken county, Kentucky. For many years it was an institution of very high repute. * * * He graduated there at the early age of eighteen years, with great distinction, particularly in classics. While at Augusta College, he had the benefit of the training and molding influences of several very able instructors. I mention as being among them, Drs. Durbin and Bascom. He constantly through life expressed his deep sense of obligation to those two gentlemen.

* * * In his youth the predilection of Col. Doniphan, was for the law as a life profession, and this was largely through the influence of his mother, who was a woman of great and far-reaching mind. Upon quitting college, therefore, for the purpose of legal study, he entered the law office of the Hon. Martin P. Marshall, of Augusta, Kentucky. In the opinion of the pupil, his legal preceptor was one of the most learned and able of all

the members of the famous Marshall family. * * * In 1833 he removed to Liberty, Missouri, where he made his home for the succeeding thirty years. There he found, already established in the practice, those eminent lawyers, David R. Atchison, Amos Rees, James M. Hughes, and Gen. Andrew S. Hughes. His experience at Lexington had been preparatory; at Liberty his reputation attained its zenith. * * *

"From 1830 to 1860 he continued in the active practice of his profession. His fame was greatest as a criminal lawyer, and during that period there was no criminal cause of magnitude in northwest Missouri in which he was not retained for the defense. He never prosecuted. The reputation of a great advocate usually absorbs that of the counselor. * * *

"On December 21st, 1837, Col. Doniphan was married to Miss Elizabeth Jane Thornton, of Clay county. It was a perfect union of heart and intellect. She was a highly intellectual cultivated woman, and her grace of manner and charm in conversation made her the delight of society. * * * Of his marriage there were born only two children—both sons. They were youths of rare intellectual promise, and their father might well hope to prolong his life and fame in those of his children. One of them died from accidental poison, at Liberty, in 1853, and the other beneath the angry waves of a West Virginia brook, in 1858. From blows so severe as these, it can be well understood why the life of Col. Doniphan, during more than thirty years before its close, was void of ambition." From a biographical sketch by D. C. Allen, of Liberty, Missouri, in "Doniphan's Expedition," by John T. Hughes.

General Doniphan took a prominent and honorable part in the War between Mexico and the United States, making one of the few great historical marches into the interior of an enemy's country; and against what should have been overwhelming odds—his little army of less than one thousand men were confronted at the pass of the Sacramento, in view of the City of Chihuahua, by a Mexican force of four thousand six hundred men—he made himself master of the State of Chihuahua and practically of all northern Mexico. At the close of the War he laid aside the sword and resumed the practice of law at Liberty, Clay county, Missouri. During the preliminary agitation and political conflicts which finally resulted in the Civil War, General Doniphan strove earnestly for peace and the preservation of the Union; when he saw that war was inevitable he returned to his home unwilling to take part in the strife and awaited the result in deepest sorrow. He died at Richmond, on the 8th day of August, 1887; and is buried in the cemetery at Liberty, where a gray

granite shaft, twenty-five feet in height, marks his last resting place.

2. THE PERSONAL APPEARANCE OF GENERAL DONIPHAN: "His personal appearance was truly imposing and magnificent. His was of the grandest type of manly beauty. A stranger would not have failed to instantly note his presence in any assemblage. In height, he was six feet and four inches. His frame was proportioned to his height, and was full without the appearance of obesity. His face approached the Grecian ideal very closely, the essential variance being in the nose, which was aquiline without severity. His forehead was high, full and square; his eyes of the brightest hazel; and his lips symmetrical and smiling. When young, his complexion was extremely fair and delicate, and his hair sandy. At the peace conference in 1861, when introduced to Mr. Lincoln, the latter said to him: "And this is the Col. Doniphan who made the wild march against the Navajos and Mexicans! You are the only man I ever met who, in appearance, came up to my previous expectation."—Allen, "Doniphan's Expedition."

3. THE FRIENDSHIP OF JOSEPH SMITH AND GENERAL DONIPHAN: "Among the earliest associations of the Prophet with attorneys of character was that with Atchison & Doniphan, at Liberty, Clay county, Missouri, and after Atchison retired and Baldwin became Doniphan's partner, Joseph studied law in the latter's office. He respected and trusted Doniphan, and for over five years they were friends, and had much to do with each other. While others fell away from the Prophet, * * * it is not anywhere shown that Doniphan abandoned his old client, or lost sympathy and respect for him at any time. And his testimony concerning Joseph has come down through the years with that of Browning, Douglas, Josiah Quincy, and others, to the effect that he was a wonderful man—such indeed as none of them had ever seen or known. While they were loth to admit that he was a servant of God, and that "Mormonism" is true, it stands everlastingly to the credit and honor of Alexander W. Doniphan that he lived to bear witness and to testify that he knew Joseph Smith was a prophet; for he heard him make a wonderful prediction, and saw for himself its literal fulfillment." Junius F. Wells in *Improvement Era*, November, 1902. An account of the prediction referred to by Mr. Wells will be given in a subsequent chapter.

CHAPTER XXXI

EXAMINATIONS OF PRISONERS AT RICHMOND—ORIGIN OF THE
“DANITES”

With the capitulation of Far West as outlined in the foregoing chapter, General Lucas considered “the War” at that place at an end, and accordingly, with the exception of the troops he thought necessary to conduct the prisoners to Independence—his headquarters—and four companies to hold Far West, and five companies under Gen. Parks sent into Daviess county, to receive the surrender of the people at “Diahman,” and take possession of their arms, the General disbanded the rest of his forces leaving the others designated above to report to Gen. Clark, then drawing near to Far West, while himself and Wilson hastened toward Independence with their prisoners.

During the journey towards Independence, namely, on the morning of the 3rd of November, the Prophet Joseph speaking in a low but cheerful and confidential tone said to his fellow-prisoners: *“Be of good cheer, brethren; the word of the Lord came to me last night that our lives should be given us, and that whatever we may suffer during this our captivity, not one of our lives shall be taken,”* a prediction which was realized in the experience of the prisoners.¹

Gen. Clark arrived at Far West on Sunday the 4th of November. It appears from his subsequent reports to Governor Boggs that he was not very well pleased with the proceedings of Lucas, but could then do no other than accept as a basis of procedure the terms of capitulation which that officer had dictated to the people of Far West. He had tried to reach Lucas by express ordering him to hold the prisoners, but to make no final treaty until he (Clark) should arrive.²

The day before arriving at Far West Clark learned that Lucas had disbanded his forces and was marching with his prisoners to Independence. He tried to intercept him with an order

1. Autobiography of Parley P. Pratt, p. 210. It will be recalled that Pratt was one of the prisoners with the Prophet. Commenting on the above he says: “Of this prophecy I testify in the name of the Lord; and though spoken in secret its fulfillment and the miraculous escape of each one of us is too notorious to need my testimony.”

2. Clark's Report to Boggs, Nov. 29th, Documents, etc., p. 89.

to deliver the prisoners to himself at Richmond, but Lucas made good his determination to take the prisoners to Independence—his headquarters—where he kept them several days.³ They were finally returned to Richmond under guard commanded by Col. Sterling Price,⁴ who put them in irons and guarded them day and night during the examination before Judge Austin A. King, which lasted seventeen days. During this time the prisoners were subjected to many hardships and much abuse from their guards, and at times were compelled to listen to their stories of murder, robbery and raping. It is related by Parley P. Pratt, that during one night when the guard had been unusually abusive and ribald in their boastings the Prophet arose and in a “voice of thunder,” or as “a roaring lion,” rebuked them in the following language:

“Silence, ye fiends of the infernal pit! In the name of Jesus Christ I rebuke you, and command you to be still; I will not live another minute and hear such language. Cease such talk, or you or I die this instant!”

Upon this they were silent and remained so until the guard was changed.⁵

When Clark arrived in Far West, on the 4th of November, with his command of about twenty-one hundred men, Far West had been visited by some six thousand troops within one week, whereas the number of the Caldwell county militia numbered

3. *Ibid.*, p. 90.

4. This was the Sterling Price who afterwards became famous as a military leader on the side of the Confederacy during the Civil War, and whose command of twelve thousand men wrought such havoc in Missouri in 1864. “In the course of his raid he marched 1434 miles, fought 43 battles and skirmishes, and according to his own calculations, destroyed upwards of \$10,000,000 worth of property. A fair share of which belonged to his own friends.” History of Missouri, Carr, p. 360.

5. Pratt’s description of this scene is worth preserving: “He ceased to speak. He stood erect in terrible majesty. Chained and without a weapon; calm, unruffled and dignified as an angel, he looked upon the quailing guards, whose weapons were lowered or dropped to the ground; whose knees smote together, and who, shrinking into a corner, or crouching at his feet, begged his pardon, and remained quiet till a change of guards. I have seen the ministers of justice, clothed in magisterial robes, and criminals arraigned before them, while life was suspended on a breath, in the courts of England; I have witnessed a Congress in solemn session to give laws to a nation; I have tried to conceive of kings, of royal courts, of thrones and crowns; and of emperors assembled to decide the fate of kingdoms; but dignity and majesty have I seen but once, as it stood in chains, at midnight in a dungeon, in an obscure village in Missouri.”—(Autobiography of Parley P. Pratt, pp. 228-230).

all told but from five to eight hundred men, the numbers here given representing the minimum and maximum estimate. On the 5th Gen. Clark designated fifty-six men of more or less prominence in the Church whom he placed under arrest, and the next day paraded the remainder of the brethren at Far West and finally addressed them on the public square as follows:

“*Gentlemen*, you whose names are not attached to this list of names will now have the privilege of going to your fields and providing corn, wood, etc., for your families. Those who are now taken will go from this to prison, be tried, and receive the due demerit of their crimes. But you (except such as charges may hereafter be preferred against) are now at liberty, as soon as the troops are removed that now guard the place, which I shall cause to be done immediately. It now devolves upon you to fulfill the treaty that you have entered into, the leading items of which I shall now lay before you:

The first requires that your leading men be given up to be tried according to law; this you have already complied with.

The second is, that you deliver up your arms, this has been attended to.

The third stipulation is, that you sign over your properties to defray the expenses of the war; this you have also done.

Another article yet remains for you to comply with, and that is, that you leave the state forthwith; and whatever may be your feelings concerning this, or whatever your innocence, it is nothing to me; General Lucas, who is equal in authority with me, has made this treaty with you—I approve of it—I should have done the same had I been here—I am therefore determined to see it fulfilled. The character of this state has suffered almost beyond redemption, from the character, conduct and influence that you have exerted, and we deem it an act of justice to restore her character to its former standing among the states, by every proper means.

The orders of the governor to me were, that you should be exterminated, and not allowed to remain in the state, and had your leaders not have been given up, and the terms of the treaty complied with, before this, *you and your families would have been destroyed and your houses in ashes.*

There is a discretionary power vested in my hands which I shall exercise in your favor for a season; for this lenity you are indebted to my clemency. I do not say that you shall go now, but you must not think of staying here another season, or of putting in crops, for the moment you do this the citizens will be

upon you. If I am called here again, in case of a non-compliance of a treaty made, do not think that I shall act any more as I have done—you need not expect any mercy, but extermination, for I am determined the governor's order shall be executed. As for your leaders, do not once think—do not imagine for a moment—do not let it enter your mind that they will be delivered, or that you will see their faces again, *for their fate is fixed—their die is cast—their doom is sealed.*

I am sorry, gentlemen, to see so great a number of apparently intelligent men found in the situation that you are; and oh! that I could invoke the Great Spirit, the unknown God, to rest upon you, and make you sufficiently intelligent to break that chain of superstition and liberate you from those fetters of fanaticism with which you are bound—*that you no longer worship a man.*⁶

I would advise you to scatter abroad, and never again organize yourselves with Bishops, Presidents, etc., lest you excite the jealousies of the people, and subject yourselves to the same calamities that have now come upon you.

You have always been the aggressors—you have brought upon yourselves these difficulties by being disaffected and not being subject to rule—and my advise is, that you become as other citizens, lest by a recurrence of these events you bring upon yourselves irretrievable ruin.”

Brigham Young, who was present when the speech was made, says that in addition to the above General Clark said that Mormons must not be seen as many as five together; “If you are,”

6. It appears that among the misrepresentations of that day was the statement here made by Gen. Clark, that the Mormons “worshipped a man” and that man Joseph Smith! When the Prophet and his fellow-prisoners were at Independence in the hands of Gen. Lucas they were visited by some ladies and gentlemen of that place, and one of the former very innocently asked one of the guards which one of the prisoners was the Lord whom the Mormons worshipped? The guard pointing to the Prophet, with a significant smile, said: “This is He.” Whereupon the woman turning to the Prophet asked whether he professed to be the Lord and Saviour, to which he answered, “I profess to be nothing but a man, and a minister of salvation sent by Jesus Christ, to preach the Gospel.” This answer so surprised the woman that she began to inquire into the Mormon doctrine and the Prophet preached her a discourse. (Documentary History of the Church, Vol. III, p. 201.)

7. “History of Caldwell and Livingston Counties,” p. 140. This History besides giving this speech *in extenso*, gives the following account of it and makes the following comment:

“A few days after his arrival General Clark removed a portion of the restraint he had imposed upon the Mormons allowing them to go out for wood, provisions, etc. He assembled the multitude on the temple square and delivered to them a written speech, a copy of which is here given. It goes far to prove the General Clark was ordered to ‘exterminate’ the Mormons, not excepting the women and children, and burn their houses and otherwise, destroy their property.”

General Clark makes reference to his speech in his final report to Governor Boggs, Documents, etc., p. 91.

said he, "the citizens will be upon you and destroy you" * * * There was no alternative for them but to flee; that they need not expect any redress, for there was none for them.⁸ The Saints were also compelled to sign away their property by executing a deed of trust at the point of the bayonet which they did, amid the frantic joy of the mob.⁹

After the first group of prisoners consisting of Joseph Smith and his several associates were returned to Richmond, Gen. Clark sought diligently through military codes for authority to try them by court-martial. He even sent to Fort Leavenworth, then a United States military post, for information on the subject; and also asked that the opinion of the Attorney General of the state be forwarded to him in relation to the matter; but apparently he could get nothing that would justify his desire for a court-martial trial. So persistent was he in this proceeding that he was sharply reproved by Gov. Boggs, himself. In a communication of Nov. 19th, the Governor said: "You will take immediate steps to discharge all the troops you have retained in service as a guard and deliver the prisoners over to the civil authorities. You will not attempt to try them by court martial, the civil law must govern. * * * The officers retained to serve on court martial will also be discharged."¹⁰

Finding that he was debarred from proceeding by court-martial, Gen. Clark turned over his first group of prisoners together with the second group, numbering fifty-six, to be examined in a court "of inquiry" at Richmond before Judge Austin A. King. The prisoners were accused of treason, murder, arson, burglary, robbery, larceny and perjury. The testimony taken is largely *ex parte*, being merely an inquiry to ascertain if there was sufficient evidence to hold the accused to a grand jury investigation of the charges.¹¹ The prisoners, however, were called upon for

8. Affidavit of Brigham Young, Documentary History of the Church, Vol. III, p. 436.

9. *Ibid.*

10. Governor Boggs to Gen. Clark, Documents, etc., pp. 81-82. The application of Clark for the opinion of the Attorney General of the State is in Clark's Communication to the Governor of Nov. 10th, Documents, etc., p. 67.

11. "Note—By the statutes of Missouri, if the examining court should be of opinion from the evidence, that an offence, as charged, had been committed, and that there was probable ground to charge the prisoner therewith, it is the duty of the court to commit or bind the prisoners over to the next court, at which time the

witnesses on their side of the case; but whenever they gave such names the parties themselves were made prisoners and put upon examination for similar offences as those charged against their friends. And where this was not done the parties named were made to flee from the country by threats of violence. The matter of such treatment of witnesses for the defense led *Messrs.* Doniphan and Rees, counsel for the defendants, to advise that no other witnesses be named as there would not be one of them left for final trial. "And as to making any impression on King," said Doniphan, "if a cohort of angels were to come down and declare you innocent, it would be all the same, since King has determined from the beginning to cast you into prison."¹²

The testimony taken before Judge King is published by the Legislature of Missouri, in its collection of Documents, Correspondence, Orders, etc., and makes altogether sixty-five pages of matter. The "evidence" is made up almost exclusively of the statements of apostates, and the Saint's bitterest enemies among the "old settlers"; and of the sixty-five pages which it fills, less than four is occupied with testimony for the defense.

The court found sufficient cause for holding most of the prisoners on one or the other of the offences charged, and held them to appear before the courts in the respective counties where the crimes were alleged to have been committed. Joseph Smith, Lyman Wight, Caleb Baldwin, Hyrum Smith, Alexander McRae, and Sidney Rigdon were held for treason, against the state, murder, burglary, arson, robbery and larceny; and were committed to prison without bail in Liberty, Clay county, for want of a sufficient jail in Caldwell county. Parley P. Pratt, Morris Phelps, Luman Gibbs, Norman Shearer and Darwin

charge is to be investigated by a grand jury. The above prisoners were subsequently indicted as charged above." (Note in Documents, etc., p. 151). And, needless to say, the grand juries in the respective counties, to which the prisoners were referred, were made up of their persecutors.

12. Documentary History of the Church, Vol. III, p. 213. Perhaps part of the bitterness that was plainly apparent in the conduct of the judge, is traceable to the fact that Mr. Brazeal who was killed in one of the conflicts between the saints and the mob in Jackson county, during the troubles there, in 1833, was his brother-in-law (Documentary Hist. of the Ch., Vol. III, p. 248); and it was sufficient cause, in justice, to have disqualified him for sitting on the case of the men brought before him in the above examination.

Chase,¹³ charged with murder, and hence notailable, were confined in Richmond prison, also for want of a sufficient jail in Caldwell county. About twenty of the other prisoners were held on various charges, and were either admitted to bail or allowed to go upon their own recognizances. Before the time set for the trial of their cases, themselves and bail were compelled to leave the state.

The testimony which was most effective in holding these men to investigation before grand juries was the sworn statements of apostates—Dr. Sampson Avard, John Corril, Reed Peck, W. W. Phelps, George M. Hinkle, John Whitmer, Burr Riggs, and others less prominent. It is in this testimony, and principally in the statement of Dr. Avard, that the existence of the “Danites” in the “Mormon Church” is affirmed. Avard declared that about four months before the date of his testimony,—which would be in the month of July, 1838—“a band called the ‘Daughters of Zion’ (afterwards called the ‘Danite Band’), was formed of the members of the Mormon Church, the original object of which was to drive from the county of Caldwell all those who dissented from the Mormon Church; in which they succeeded admirably and to the satisfaction of all concerned.”¹⁴

Avard charges that Joseph Smith was the prime mover and organizer of the “Danite Band”; that its officers were blessed by him; that he with his counselors, Sidney Rigdon and Hyrum Smith, were cognizant of all the Band’s movements; that it was the Prophet who proposed that they be bound together by covenant not to reveal the secrets of the society under penalty of death. The oath according to Avard was as follows:

“In the name of Jesus Christ, the Son of God, I do solemnly obligate myself ever to conceal, and never to reveal, the secret purposes of this society called the ‘Daughters of Zion.’ Should I ever do the same, I hold my life as the forfeiture.”

“The Prophet,” continues Avard, “together with his two counselors, were considered as the supreme head of the Church; and the ‘Danite Band’ felt themselves as much bound to obey them as to obey the supreme God.” He also testified that Joseph

13. Shearer and Chase were dismissed after an imprisonment of five months, the grand jury not finding sufficient evidence to bring them to trial.

14. “Evidence” Documents, etc., p. 97.

Smith gave the instruction that if any of the "Band" got into difficulty the rest should help him out, and that "they should stand by each other right or wrong." Avard also gave to the court the preamble and "Constitution" of this so-called secret organization; and as he represents the document he delivered to the court as being the original, and no copies having been taken of it; and as so much has been made of this alleged secret and "murderous organization," Preamble and Constitution are here given *in extenso*:

"Danite Constitution."

"Whereas, in all bodies laws are necessary for the permanency, safety, and well-being of society, we, the members of the Society of the Daughters of Zion, do agree to regulate ourselves under such laws as, in righteousness, shall be deemed necessary for the preservation of our holy religion, and of our most sacred rights and of the rights of our wives and children. But, to be explicit on the subject, it is especially our object to support and defend the rights conferred on us by our venerable sires, who purchased them with the pledges of their lives, their fortunes, and their sacred honors. And now, to prove ourselves worthy of the liberty conferred on us by them, in the providence of God, we do agree to be governed by such laws as shall perpetuate these high privileges, of which we know ourselves to be the rightful possessors, and of which privileges wicked and designing men have tried to deprive us, by all manner of evil, and that purely in consequence of the tenacity we have manifested in the discharge of our duty towards our God, who has given us those rights and privileges, and a right, in common with others, to dwell on this land. But we, not having the privileges of others allowed unto us, have determined, like unto our fathers, to resist tyranny, whether it be in kings or in the people. It is all alike unto us. Our rights we must have, and our rights we shall have, in the name of Israel's God.

"*Art. 1st.* All power belongs originally and legitimately to the people, and they have a right to dispose of it as they shall deem fit; but, as it is inconvenient and impossible to convene the people in all cases, the legislative powers have been given by them, from time to time, into the hands of a representation composed of delegates from the people themselves. This has been the law, both in civil and religious bodies, and is the true principle.

"*Art. 2d.* The executive power shall be vested in the President of the whole Church and his Counselors.

"*Art. 3d.* The legislative powers shall reside in the president and his counselors together, and with the generals and colonels of the society. By them all laws shall be made regulating the society.

"*Art. 4th.* All offices shall be during life and good behaviour, or to be regulated by the law of God.

"*Art. 5th.* The society reserves the power of electing its own officers, with the exception of the aids and clerks which the officers may need in their various stations. The nomination to go from the presidency to his second, and from the second to the third in rank, and so down through all the various grades. Each branch or department retains the power of electing its own particular officers.

"*Art. 6th.* Punishments shall be administered to the guilty in accordance to the offence, and no member shall be punished without law, or by any others than those appointed by law for that purpose. The legislature shall have power to make laws regulating punishments, as, in their judgments, shall be wisdom and righteousness.

"*Art. 7th.* There shall be a secretary, whose business it shall be to keep all the legislative records of the society, also to keep a register of the names of every member of the society; also the rank of the officers. He shall also communicate the laws to the generals, as directed by laws made for the regulation of such business by the legislature.

"*Art. 8th.* All officers shall be subject to the commands of the Captain General, given through the Secretary of War; and so all officers shall be subjects to their superiors in rank, according to laws made for that purpose."¹⁵

This "constitution" is disappointing after hearing its murderous nature roaring so loud and thundering in the index supplied by the testimony of Avard, Marsh, *et al.* One would naturally expect to find the "Constitution" more sanguinary than it is after all that has been said by the exploiters of it. Now follows the account of Avard's "Danite Band" organization condensed from Joseph Smith's Journal History:

"Doctor Sampson Avard had been a member of the Church but a few months. He was one of those restless, ambitious men

15. Avard's Testimony, Documents, etc., pp. 101-2. The document itself bears witness to the weakness and folly of him who drew it. Believe me, if Joseph Smith or any responsible leader in the Church had considered it necessary to organize such a society, its Constitution would have been of different mould and spirit from this amaturish, silly concoction of nonsense. The document itself proclaims its author—Avard, or some one equally vain and weak.

who desire to become great, and lord it over their fellow men. Possessing neither the intelligence nor the integrity to rise to positions of honor and trust in the Church by open, fair means, he resolved to become a leader by craft and villainy. He employed the art of flattery in his conversations with the brethren, appointed frequent meetings at his own house which was guarded by one or more of his trusted associates, who would give him a sign if any one approached whom he had not trusted. With an air of mystery he would intimate that he had been appointed by the heads of the Church to accomplish some important work of a secret character, and at last put those whom he had won by his flattery, under an oath of eternal secrecy, not to reveal anything that he should communicate to them.

By these means he continued to enlarge his band, which he named the 'Danites.'

He gave to them certain secret signs by which members of the band could recognize each other, either day or night. He gave them to understand that he had authority from the heads of the Church for what he was about to do. He then proceeded to organize his men into companies of tens and fifties, placing a captain over each. Up, to this time Avard had never intimated that anything unlawful or contrary to the spirit of the gospel was to be carried out. But now that he had the companies organized and all under an oath of secrecy, he thought he could with safety let the mask fall. After instructing the men as to what their duties were under their several captains, he took the captains into a secluded place and there told them they would soon be permitted to go among the Gentiles and take their property as spoil, and by robbing and plundering the Gentiles, they were to waste them away and with the property thus confiscated build up the Kingdom of God. If any of the band were recognized by their enemies, 'who could harm them?' he asked: 'for,' said he, 'we will stand by each other, and defend one another in all things. If our enemies swear against us, we can swear also.' At this point some of the brethren expressed astonishment; but Avard continued by saying: 'As the Lord liveth I would swear to a lie to clear any of you; and if this would not do, I would put them or him under the sand as Moses did the Egyptian. * * *

And if any of us transgress, we will deal with him amongst ourselves. And if any one of this Danite society reveals any of these things, I will put him where the dogs cannot bite him.'

This lecture of the doctor's revealed for the first time the true intent of his designs, and the brethren he had duped suddenly had their eyes opened, and they at once revolted and manfully rejected his teachings. Avard saw that he had played and lost

so he said they had better let the matter drop where it was. As soon as Avard's villainy was brought to the knowledge of the President of the Church, he was excommunicated, and was afterwards found making an effort to become friends with the mob, and conspiring against the Church.'¹⁶

"And here let it be distinctly understood," continues the prophet's account, "that these companies of tens and fifties got up by Avard, were altogether separate and distinct from those companies of tens and fifties organized by the brethren for self defense, in case of an attack from the mob. This latter organization was called into existence more particularly that in this time of alarm no family or person might be neglected; therefore, one company would be engaged in drawing wood, another in cutting it, another in gathering corn, another in grinding, another in butchering, another in distributing meat, etc., etc., so that all should be employed in turn, and no one lack the necessities of life. Therefore, let no one hereafter, by mistake or design confound this organization of the Church for good and righteous purposes, with the organization of the 'Danites,' of the apostate Avard.'¹⁷

This latter and legitimate organization was revived at the breaking up and evacuation of Nauvoo, some years later, and under it the great exodus of twenty thousand people from Illinois to the Salt Lake valley was conducted.

The matter of Avard's deception and secret proceedings are again referred to in an official communication from President Smith, to the Church from Liberty Prison, under date of 16th of December, 1838.

"We have learned also since we have been prisoners, that many false and pernicious things, which were calculated to lead the Saints far astray and to do great injury, have been taught by Dr. Avard as coming from the Presidency, and we have reason to fear that many other designing and corrupt characters like unto himself, have been teaching many things which the Presidency never knew were being taught in the Church by anybody until after they were made prisoners. Had they known of such things they would have spurned them and their authors as they would the gates of hell. Thus we find that there have been frauds and secret abominations and evil works of darkness go-

16. Documentary History of the Church, Vol. III, pp. 178-181.

17. *Ibid.*, p. 182.

ing on, leading the minds of the weak and unwary into confusion and distraction, and all the time palming it off upon the Presidency, while the Presidency were ignorant as well as innocent of those things which those persons were practicing in the Church in their name."¹⁸

A lie once hatched, how long it lives! How easy it is for people to believe what they desire established as fact! How slight the evidence needs to be in support of an untruth, if only it ministers to their prejudices! Here is the testimony of this man Avard and of Marsh and of Hyde and of Phelps, respecting the existence in the Church of the "Danite Band": the first a traitor and perjurer, if his testimony before Judge King was true; for in that event he was under oath not to reveal that which he revealed, hence a perjured man. All the world knows the worthlessness of such a witness.

It is not known how far Hyde's testimony supported Marsh's statements. He merely "knew" some of the things Marsh testified of, the rest he "believed to be true." After the Church was safely settled in Illinois, Orson Hyde returned to the Church, confessed his errors, made amends as far as lay in him the power, and was reinstated in the Church and in his office. In later years he said in tears to his friend John Taylor, that he would give his life if only recollection of his support to Marsh's affidavit could be wiped out.¹⁹

Phelps in a deeply repentant spirit returned to the Church in the summer of 1840; humbly made acknowledgement of his errors in Missouri, and was forgiven by the Church and reinstated in his standing.²⁰ Even Marsh returned to the Church.

18. Documentary History of the Church, Vol. III, p. 231.

19. Referring to the denial of the Christ by Peter, President Taylor in his Discussion with Colfax, remarks: "But afterwards Peter went out and wept bitterly. And so did Brother Hyde weep bitterly. He came to me on a certain occasion, after Mr. Colfax [Vice-President U. S.] came out here [to Utah] and quoted this affidavit which Marsh had made, and told me he would give his life over and over again, if it were possible, to wipe out the recollection of that act; but I think, as I said before, that Brother Hyde was scarcely in his right mind; he was laboring under a fever and was hardly himself. I would gladly hope it was so." (Succession in Priesthood-Taylor, 1881, p. 21).

20. The letter of Phelps and the Prophet's reply are profoundly interesting as exhibiting the spirit of the New Dispensation, and of these leading men in it, hence the important paragraph in each is given:

Phelps: "I have seen the folly of my way, and I tremble at the gulf I have passed. So it is, and why I know not. I prayed and God answered, but what could I do? Says I, 'I will repent and live, and ask my old brethren to forgive

He was rebaptized at Florence, Nebraska, in July, 1857, and the same year moved to the main body of the Church in Utah, where for several years he lived upon the bounty of the very people he had betrayed, a poor, shattered, broken down old man. On several occasions, in public as well as in private, he said: "If any of you want to see the effects of apostasy, look upon me."²¹

Notwithstanding the testimony upon which the existence of the "Danite Band" in the Church is of so questionable a character, given by men under the stress of fear²² and great excite-

me, and though they chasten me to death, yet I will die with them, for their God is my God. The least place with them is enough for me, yea, it is bigger and better than all Babylon. * * * I know my situation, you know it, and God knows it, and I want to be saved if my friends will help me. Like the captain that was cast away on a desert island; when he got off he went to sea again, and made his fortune the next time, so let my lot be. I have done wrong and I am sorry. The beam is in my own eye. I have not walked along with my friends according to my holy anointing. I ask forgiveness in the name of Jesus Christ of all the Saints, for I will do right, God helping me. I want your fellowship; if you cannot grant that, grant me your peace and friendship, for we are brethren, and our communion used to be sweet, and whenever the Lord brings us together again, I will make all the satisfaction on every point that Saints or God can require. Amen."

President Smith's Answer: "It is true, that we have suffered much in consequence of your behaviour—the cup of gall, already full enough for mortals to drink, was indeed filled to overflowing when you turned against us—one with whom we had oft taken sweet counsel together, and enjoyed many refreshing seasons from the Lord—'had it been an enemy, we could have borne it.' 'In the day that thou stoodest on the other side, in the day when strangers carried away captive his forces, and foreigners entered into his gates, and cast lots upon (Far West), even thou wast as one of them; but thou shouldest not have looked on the day of thy brother, in the day that he become a stranger, neither shouldst thou have spoken proudly in the day of distress.'

"However, the cup has been drunk, the will of our Father has been done, and we are yet alive, for which we thank the Lord. And having been delivered from the hands of wicked men by the mercy of our God, we say it is your privilege to be delivered from the powers of the adversary, be brought into the liberty of God's dear children, and again take your stand among the Saints of the Most High, and by diligence, humility, and love unfeigned, commend yourself to our God, and your God, and to the Church of Jesus Christ.

Believing your confession to be real, and your repentance genuine, I shall be happy once again to give you the right hand of fellowship, and rejoice over the returning prodigal.— * * *

"Come on, dear brother, since the war is past,
For friends at first, are friends again at last."

Yours as ever,

JOSEPH SMITH, JUN.

(Documentary History of the Church, Vol. III, pp. 142, 163).

21. Taylor's Succession in Priesthood, pp. 11-13; also Latter-day Saints Biographical Encyclopedia, pp. 74-76.

22. Even Dr. Avard admitted that his testimony was inspired by fear: "Dr. Sampson Avard was the first brought before the court. He had previously told Mr. Oliver Olney that if he (Olney) wished to save himself, he must swear hard against the heads of the Church, as they were the ones the court wanted to criminate; and if he could swear hard against them, they would not (that is,

ment—men anxious to be received into the favor of the “old settlers,” and of the militia and civil officers of the state, as the only means of finding security for themselves and families; notwithstanding most of the principal witnesses to the alleged fact, after the stress under which they testified was removed, confessed their error and returned to the Church, begging forgiveness and seeking reinstatement; notwithstanding the fact that men within the Church of the highest propriety of character denied the existence of this secret, oath-bound band of assassins within the Church—beyond the existence of the society organized by Dr. Avarad as explained in these pages, and which in no way received the sanction or approval of responsible Church authorities, and “which died almost as soon as it was born”—notwithstanding all this, belief in the existence of the “Danites” in the Mormon Church is quite general among non-Mormons; and every irregularity that has occurred in the Church since these Missouri days, every act of violence in the frontier life in Utah, almost every militia movement in which Mormons have been engaged, has been set down as so many acts and movements of the “Danites.” Murderers and desperadoes on the frontiers of the inter-mountain west; as also the camp followers along the trails of the Church from the Missouri river to the Rocky Mountains, have not been slow to recognize the advantage of having this alleged band of assassins on which they could load the responsibilities for their own crimes, and make the Church the scape goat for the sins of the mythical “Danites.” Even people having fellowship in the Church have sometimes been misled into believing in the existence of such a secret band, and in speech and in written word have treated the “Danite Band” as if it were a reality. Among non-Mormons in some quarters the “Danites” have become the hob-goblin terror of “old wives tales,” relating to the “Mormons” and “Mormonism.” But thank God, they

neither court nor mob) disturb him. “I intend to do it,” said he, “in order to escape, for if I do not, they will take my life.” (Documentary History of the Church, Vol. III, p. 209). General Clark admits in his last report to the Governor that “but for the capture of Sampson Avarad, a leading Mormon, I do not believe I could have obtained any useful facts. No one disclosed any useful matter until he was captured and brought in.” (Clark’s Report of Nov. 29, Documents, etc., p. 90).

do not exist, and never have existed in the Church with the sanction and authority of that Church; nor with the knowledge and approval of the responsible officers of the Church. The institution which God has founded in the Church to teach peace on earth, good will to men; to be a witness for Him—of His being and the kind of Being He is; to bear witness of the Christ and of the power of salvation in the gospel of the Christ; an institution which abhors murders and secret abominations, and whose chief scripture after the Bible—the Book of Mormon—repeatedly denounces such organizations as they existed among the ancient peoples whose history it contains,²³ could never become the instigator and supporter of murderous, secret organizations, nor hope to prosper by robberies and assassinations.

23. See II. Nephi, X; 15. The Lord is represented as saying, that in order to fulfill "my covenants to the children of men, * * * I must needs destroy the secret works of darkness, and of murders and of abominations." In the margin of the page whence this is taken thirty other references are given to passages of the book which condemn and denounce in the strongest terms murderous, secret organizations; and charge them with being the chief factors in destroying the governments and civilization of the Western World.

HERALDIC CONSIDERATIONS

THE IMPERIAL SUCCESSION

(Based on the Aryan and Seignorial Order, which gave rise to Heraldry, strictly so-called)

BY THE VISCOUNT DE FRONSAC

FOR the legitimacy of the Imperial Succession against the encroachment of papal and democratic inroads, the system of Imperial Electors was revived, that had existed before the time of Clovis, when the Kings of the Aryan, Gothic and Germanic Race were chosen by the Patrician Warriors, who elevated their candidates on their shields. This was proof of the basis on which their royalty was founded;—viz., the power of the Aristocracy.

Now the Aryan Aristocracy of this Gothic-Germanic Race had formed a confederacy about the II Century which they had called Franc, meaning free, or independent. The shield was their badge of rank and it was hereditary; it was made hereditary to those who joined the Frankish Confederacy. None but an Aryan noble of the Gothic-Germanic Race was eligible to bear a shield in this council of the Franks. This shield was given a certain form so as to be distinguishable from other shields—for shields were parts of the universal armor of all nations. The Frankish shield became the *Shield of Heraldry*, triangular of shape, round at the bottom in South Europe; with corners added at the top and pointed at the base among the Franco-Normans, who introduced it into Britain; with a lance-rest among the Germans, which they placed as a loop on the dexter side. To show that their kings owed their prerogative to this Aristocracy, the Franks coronated the leader whom they

had chosen from among themselves, by elevating him on their shields. They retained the sole right of representation in the Council of that king, which council was based on this, their shield-right. Under their King, Clovis, they marched down only 5,000 strong and conquered the Roman World, extending their conquest and consolidating it by degrees up to the time of their king Charlemagne, who was crowned Emperor on Xmas day 800.

The Franco-Gothic Caste became the Nobility of the Empire, which reached over Italy, Spain, France, Germany and Austria. It was in these countries alone that the badges of official rank were transferred to the shield and made hereditary with the offices (which they affirmed) over territorial districts, which districts, under the previous Roman régime, were but official positions subject to appointment and revocation by the chief of state. The Franc, being Noble-de-Race, on receipt of appointment over a district, however small, however large, continued by his own authority as a sovereign of the king's council, his consular jurisdiction over the territory which his office implied.

This practice initiated the Feudal System, which was the method of government introduced into the Empire by Frankish conquest and race-domination, under which the few thousand nobles of these purest and most thoroughbred relics of the Aryan race, yet uncorrupted by infiltration of inferior blood, deemed best suited for the preservation of the ancient civilization with their own superposed as dominating factor. This system of the Frankish confederacy instituted the Seigneurial Order; divided the sovereignty over the land, which land they held nominally of the king, (who was but their chief), and this sovereignty they held co-extensively as his Peers—his equals in blood and authority within their own domain.

The shield which they bore with its official badge and ornamentation, they transmitted to their posterity to prove the lineage of their race and the right to sovereignty and precedence in the state; their right to jurisdiction over those on their land and to absolute representation in the Sovereign Council where alone they, as equals, or Peers of the King, presided. To symbolize their territorial sovereignty, they added the Crown to the

top of their shield—at first of any fanciful design, but patterned by duly constituted heralds and blasonists afterwards into the shape of the modern coronets of Duke, Marquis, Count (Earl), Viscount, Baron, Baronet and Banneret.

The subject people, the great mongrel mass of mankind who dwelt under the feudal sovereignty of this Aryan, Seigneurial Order, or *caste*, were obligated to take oath of allegiance to each their particular lord, or seigneur; to fight under his banner (representing his shield), for which service they received their lord's protection and aid in time of need, and were secured in their property and freedom.

On account of this very sovereign prerogative, which these seigneurs shared with the king on the basis of divine right of race, under the Feudal System, the Princes, Dukes, Marquises, Counts and Barons of the Empire invested their fiefs with this sovereignty which had descended to them from their noble Aryan forefathers, and they built strong fortresses and surrounded themselves with warlike retainers. Thus arose the Duchy of France, the Grand-Duchy of Austria, the Kingdoms of Naples, Arragon, Castile, Navarre, Bearne; the Duchies of Bavaria, Bohemia, the counties of Flanders, Provence, the Duchies of Normandy, etc.—sovereign within themselves, giving birth to the modern kingdoms and principalities of Europe.

In this rebuilding of Europe from mongrelization and decay, through the conquest and domination of a pure-blooded Aryan *caste*, with its Feudal System and Heraldry as external and visible props of force and honor, and of the internal, vital but invisible power of its lofty origin to direct and preserve and to keep in place, there became definitely outlined three distinct races and types in the legal recognition;—

I. The Aryan and Seigneurial Order of the Empire, whose Franco-Gothic members traced their origin to the days of Charlemagne, who without disturbing the fabric of the Roman Empire had transformed it to their greater glory. In this Order they were the military, heraldic aristocracy with precedence in the state. Their rights, or prerogative, were dominant; for the king himself was one of them, so that the legend was repeated;—"Sans Noblesse, point de monarchie."

II. After these as the second order, was the Gallo-Roman, or local nobility, that had existed under the previous, old Roman civilization and had become mongrelized and subservient under the Frankish conquest. This nobility had no heraldry but had rights to local magistracy and was allowed to remain in position. Long accustomed to administer the civil law and to occupy civil rank in the South of Europe, the Franks recognized this consular nobility as an urban magistracy whose members were afterwards called gentlemen of the robe (*gens de robe*), from the magistrates' gown, or toga, which they wore. Their blood was mixed; they were not pure Aryans; they were usually swarthy of complexion, but many different types appeared among them.

III. After these as a third class, or type, were the merchant-traders, money-lenders, small property-holders, without any element of Aryan purity;—Jews, Africans, Arminians, exiled Greeks of the *nigretto* species, in one inextricable confusion. Many of these became wealthy enough to loan money to kings and were “ennobled” by “letters-patent.” This third species of nobility, if so it may be called, had various ways of derogation and was reckoned of but small importance. But the gradual elimination of the *Noblesse-de race*, by war, by misfortune, by political revolution, by *mesalliance*, from the headship of affairs has served to add luster even to these “annobli”—so true is it that “its an ill-wind that blows nobody good.” But as Montesquieu has written—“All is lost when the lucrative profession of the note-shaver and speculator by its riches has become a profession of honor.”

To return to the Imperial Succession whose authority and supremacy were threatened by the spurious claims of the Popes of Rome, already mentioned. The Popes through the imposition of priestcraft and fetishism influenced the multitude through fear, but they could not coerce by this means the Aryan Seigneurs of the Empire who rallied to the support of their sovereign. These, when the Pope claimed divine right to make kings, asserted with boldness, truth and decision that the authority and power of kingship rested with them, as it had rested with the

Aryan nobles, their forefathers before the era of Christianity. Moreover, to enforce this assertion they encouraged the Emperors to crown themselves and they formed the Electoral College for the direction of the Imperial Succession. Into this College it is true that they admitted some bishops of the church, but it was only because these bishops had under their control feudal fiefs of the Empire in Germany, which as fiefs, could not be ignored. In this admittance, the Bishops acknowledged themselves vassals of the Empire. In the XIII Century, the Electoral College consisted of the Princes of Bohemia, Saxony and the Palatinate, afterwards of Bavaria; in 1692 were added the Prince of Brunswick-Luneburg (Hanover recognized in 1710) and the Chancellors and Bishops of Mainz, Treves and Cologne. After 1792, the sovereign princes of Baden, Hesse-Cassel and Salzberg became additional Electors.

After the extinction of the House of Hohenstauffen, most of the Emperors were chosen from the House of Hapsburg until 1866, when by the supremacy of Prussia, the Imperial dignity, in 1871, by the acclamation of the majority of the German Princes passed to the House of Hohenzollern. It had never been the exclusive right of any house to hold the Imperial title. In 1156, Henry Jasomigrot was made Duke of Austria by the Emperor Frederic, but in 1246, the Emperor seized Austria as part of the Imperial Domain. In 1269, Rudolph Von Hapsburg was elected Emperor and put his family arms (a fess argent on a shield gules) on the breast of the two-headed imperial eagle. This replaced and effaced the arms of Austria, which were an azure lion, crowned gules, on a golden shield.

In the meantime, the Feudal System, which was a system of territorial sovereignty based on race-requirement, whose symbols made Heraldry, was extended wherever the Franco-Gothic Aryans predominated. France was split into six of these feudal sovereignties (Aquitaine, Burgundy, Toulouse, Normandy, Provence and Flanders) whose Dukes and Counts were hereditary Princes of the Empire. The head of the French Monarchy was known as the Duke of France, and these were his Peers in Council.

Germany was more completely cleft into independent princi-

palities, duchies and counties, whose lords inherited an actual right from their Aryan aristocracy, and a theoretical right from Imperial recognition. Many of these became members of the Electoral College on whose approbation the validity of the Imperial title rested.

THE CRUSADES

It was part of the papal policy to destroy the power of the Emperors, to overthrow the Feudal System, to corrupt purity of race as a means of breaking down the power of the Aristocracy and to efface its Blasonry from the pages of History. To do this a plausible pretext, to rescue the Holy Sepulchre from the hands of the Moslems, [who had conquered Palestine] suggested itself to the Popes, and they promised absolution and remittance of sin and an immortal entrance into Paradise to all Knights and Nobles, of this Gothic Christianity to gird on sword and armor and to fling themselves headlong on the foe in the Deserts of Arabia.

The deluded warriors of Gothic Europe hastened to enlist, with their kings and princes in so worthy an enterprise, where military honors might be won at the same time with eternal bliss. Their hosts were directed away from aiding the beleaguered city of Constantinople, which surrendered to the Moslems, after it was known that the Crusaders from the West of Europe had been directed from giving them relief. Thus the Popes were revenged on the memory of Constantine, and the Eastern Empire passed beneath the banner of Mahomet and the Patriarch of Constantinople ceased to have a seat of authority.

The Popes were now looking to see the supremacy of the Empire, with its confederated kingdoms and principalities grouped under their own control—after the flower of the Aryan Race had perished in the Saharas of the East and their Feudal System and Race-tenure had been correspondingly weakened in the West. But after the Crusades were ended when the Popes attempted to continue their work, their attempt brought on Italy the War of the Guelphs and Ghibellines [the Imperialists and Papists] and deluged France in the blood of religious persecution only to have their own power broken by the yet uncontaminated Ary-

ans of Germany and Britain, who set a barrier against the advance of that superstition, which has fastened on the mongrelized races of Southern Europe and has hastened them to degeneracy and decay.

The principal cause for the Reformation and its material support was the Imperial barriers to papal pretention of universal dominion.

The Imperial dignity had passed to the Germanic Succession. Emperor Frederic II of the House of Hohenstauffen, had been excommunicated by the Pope as a heretic long before Luther was born, or his tenets had been dreamed of. Throughout the ranks of the Imperial partizans there was a hostility towards the Papal Court and its pretention. Luther was encouraged to preach by these noble partizans in order to "Fight the Devil with fire;"—in other words, to raise superstition to combat superstition. He was urged on in his spiritual crusade by these German Princes and Imperial Electors who desired to humiliate the Pope and to break his power and to restore to the Emperor those attributes of authority that priestly intrigue—which honey-combed the communes of the people with disloyalty—had deprived him.

They succeeded to such an extent as to separate Northern, or Aryan, Europe and withdraw it from Papal jurisdiction. This separation weakened the Imperial influence in Southern, or non-Aryan, Europe to a shadow. The less pure nations of France, Italy, Austria remained under Papal control. But Austria was partly German and it had an Imperial succession. So was brought face to face two German powers, each claiming electoral pretention to the Imperial dignity, each of whom looked to the German states for support; Protestant Brandenburg (Prussia) and Catholic Austria. The history of the military struggle during the reigns of Frederic the Great and Maria Theresa belongs not to Heraldry, but the struggle came to a termination in 1866, when Prussia overthrew the Austrian power at Sadowa, and in 1871, the Imperial crisis was passed when William, King of Prussia was crowned at Versailles as the choice of the Princes of United Germany to be the successor of Charlemagne and Barbarossa, head of the Gothic Empire of the Romans.

Now there were in the North of Europe, in the Scandinavias, after Rollo had led away into Normandy in the IX Century, his Gothic Vikings, a great host of the commoner, non-Aryan blood;—Finns, Lapps, Vends, whose progeny, mixed with some others, are the modern Scandinavians. These had no Heraldry, no Feudality, no Aristocratic Prerogative, (except by reflection) any more than had the Sarrasim of Spain, who looked to Bagdad and Allepo for models, or the Saxons of England before the incoming of their Norman conquerors. These nations of Scandinavia and England, with the wild Kelts of Ireland refused to participate in the referreeship of the Holy Germanic Empire which at one time comprehended France, Germany, Austria, Castile, Leon, Navarre, Naples, Sardinia, finally, Russia deriving her prerogative from Byzantium.

THE ORDER OF CHIVALRY

During the Crusades there came together in the camp, men of all kinds, nations, races. All bore military ensigns. The mongrel, non-Gothic, non-Heraldic races began to assume heraldic dignity themselves. It was then that the select, purer blooded Frankish Aryans drew apart into an association, or order, similar to their first confederation under Clovis. This order depended on purity of race and of honor of person; it became known as the Order of Chivalry—of the Soldier on horseback. This order bound its members to protect the weakest of its members against the strong and tyrannical. Their honor, courtesy and magnanimity being race-qualities, caused the fame of its members to expand, while its power, as an organization could shake kingdoms and principalities. Hallam declared in his "*History of the Middle-Ages*;"—that it "caused the heart to expand like a flower in the sunshine, beautified glory with generosity and smoothed even the rugged brow of War."

By combining among the flower of the Gothic Race of every state of Europe, it extended the Heraldry of its symbolization everywhere on a systematic basis, re-established the consular rights of the noblesse-de-race as the foundation of every Aryan

state, and gave to society a *caste* founded on this nobility, that had a visible, directing function in the state co-equal with the king's and as divine as his.

Aided by Heraldry, which its Frankish progenitors originated, established on the Feudal System equally its own, represented in the government by its consular constitution, the effect of this aristocracy produced the highest civilization and gave a stability and confidence to the rest of mankind which had been lacking before its rise.

But in more recent times, the enfeeblement of race-purity has caused this Chivalry to disband, has caused to disappear the prerogative of the noblesse-de-race from the state, and affects the Royal prerogative itself with the threat of annihilation.

FAMILIES OF SEIGNEURIAL SUCCESSION

In College of Arms of Canada

GODIN DE BELLEFONTAINE

Arms:—Sinople, a bend d' or between 6 acorns of the same. Seigneurial coronet—(conceded in 1906).

History:—Charles Godin and Marie his wife of St. Vol, Langres, France, had a son Pierre, born in 1632, who came to Acadia with the Count de La Tour. He settled on the St. John River (near the site of Fredericton) and was surveyor and builder. His son Joseph Godin was conceded in Seigneurial tenure the fief of Beausejour. He was officer of the navy and major of militia and commandant of the St. John District in 1749. He was father of Michel who obtained the Seigneurie of Bellefontaine. He was a military officer and the Royal Carrier. He was born in 1733. He had studied geography and navigation at Cherbourg. From him in direct succession was Louis Valcourt de Bellefontaine-Godin, whose son Michel married Ursule Grenier in 1771. Among his grandchildren are Marie Valcourt de Bellefontaine-Godin and her brother of the city of Montreal registered in the College of Arms of Canada.

VENIARD DE BOURGMOND OF MISSOURI

Arms:—Azure a savage ppr., seated on a mountein argent. Seigneurial coronet.

History:—This family obtained Seigneurial tenure in the fief of Bourgmond in Louisiana in the District of Missouri near Ft. St. Louis.

CAILTEAU DE CHAMPFLEURIE

Arms:—Gules, a fess argent charged with 3 eagles' heads azure between 3 fleurs-de-lys d' or. Seigneurial coronet.

History:—Jacques Cailteau, Seigneur de Champfleurie in Canada was the first of this ancient family of Britany in the Seigneurial Archives of Canada. His father was Theodore Cailteau and his mother Frances Mignier of N. D. de Cogne, La Rochelle, France. He married at Quebec in 1664, Frances, daughter of Simon Denys, Seigneur de La Trinité de Bonnaventure who was Receiver-General for the Company of New France.

DE GALLIFET

Arms:—Gules, a cheveron argent between 3 trefoils d' or. Motto:—"Bien Faire et Laisser Dire." Marquis Coronet over Seigneurial one.

History:—This family, whose origin is lost in the night of time, has its affiliation proven since the XIII Century and was distinguished among the Nobility of Dauphinay and Savoie. This line yet existing, that of the Prince de Martignac, Marquis de Gallifet, passed into Provence in 1450. In 1872 it was represented by Gen., the Marquis de Gallifet, officer of the Legion of Honor, etc.

Francis de Gallifet, Sieur de Calin, Major at Quebec, Lieutenant-Governor at Montreal in 1700, was the first of the family registered in Canada. He was born in 1666, son of Pierre de Galifet, Seigneur d' Homan, whose wife was Marguerite de Bonfils of N. D. de Grace, Verson, France. He married at Quebec, Catherine, daughter of Charles Aubert.

DE LAUNOY, MARQUIS DE RAZILLI

Arms:—Gules 3 fleurs-de-lys, argent 2&1. Supporters:—Two angels. Marquis coronet over Seigneurial one.

History:—This house of Chivalric origin is one of the most considerable in Touraine. By its antiquity, by its alliances and by the position it has occupied in the state it may justly be said to be great. It takes its name from the Castle of Razilli near Chinon, which from time immemorial was its stronghold and which often served as residence for the Kings Charles VII, Louis XI and Charles VIII who there rendered numerous “ordonances.”

The first of the name in records is Renaud de Razilli, Chevalier and Seigneur, living in 1110, who appears as witness in a charter of the Abbey of Fontevrault. His son Herbert, Seigneur d’Auzon, made a gift in 1140 to the Abbey of Turpenay of one-third of the tithes of Razilli with the consent of his two sons, Aimeray and Nicolas, and in their presence. The filiation continued without interruption to Louis de Razilli; Seigneur d’Oiseaumelle in whose favor was rendered the judgment of the Court of Paris of 14, Aug. 1409, against his other relatives who disputed his succession. His eldest son Jean was Chamberlain to King Charles VII who authorized him to fortify his castle in 1439. Gabriel was Governor of Chinon and his grandson Francis was the “Soul of the expedition” that he attempted the colonization of the Island of Maragnan in the West Indies. His brother, Isaac de Razilli, Knight of Malta, Commander of the Isle of Bouchard, Vice-Admiral, etc., became Vice-roy and Grand-Seigneur of New France and settled in Acadia in 1632 as Governor there for the King of France. His other brother and successor to the fief of one-third of Acadia was Claude de Launoy de Razilli also Vice-Admiral. Their names are inscribed in the rubric “Les Razilli” on the Monument dedicated to the “Genius of the Sea” that the city of Toulon elevated in 1847 to the great mariners of France. Their heir was Charles (son of Francis) first Marquis de Razilli, Governor of Hagueneau, who was succeeded by his first cousin, Gabriel, as Marquis, who was a Lieutenant-General in Touraine. The present Marquis de

Razilli lives at Chateau Beaumont, St. Pierre-le-Moutier, Nievre, France.

ESCAYRAC DE REAU

Arms:—Argent, 3 bendlets gules; a chief charged with 3 stars d'or. Seigneurial coronet.

History:—This house, one of the most ancient and distinguished of Quercy derives its name from the Castle of Escayrac which it had possessed from time immemorial; its archives contain acts concerning it since 1040. In 1228 it is mentioned in an official register of the Parish of St. Aurelh, of a Barnard d' Escayrac son of another Bernard. In the first Crusade of St. Louis in 1248, three knights of the name went to Palestine, their commission being signed by their seal, on the strength of which their names were placed in the Salle des Croisades at Versailles.

From 1250 the authentic filiation of the line has been established, and in 1872 it counted three representatives, chief of whom was the Marquis d' Escayrac, Cheateau de L' Egille, Molières, Tarne-et-Garonne, France.

Pierre D' Escayrac, first of the name in Canada obtained the Seigneurie of Reau. His father was Pierre d' Escayrac, Seigneur de Laval, by wife Marie des Bordes, of St. Etienne, Argency, France. He was captain of troops and married at Quebec in 1787, Marie G. daughter of Charles Denys, Seigneur de Vitré.

CHABERT DE JONCAIRE

Arms:—Azure, a bend argent charged with 3 rocks d' eschiquier, sable accompanied by a potence of the sane, sémé in orle. Seigneurial coronet.

History:—This family was established for five centuries in Dauphinay, afterwards in Canada and Guardeloupe. The Marquis de Chabert, captain in the navy retired in 1872, resided at Nantes, Chateau de Kermahé, Alloir, Morhiban, France, Daniel Chabert, Sieur de Joncaire, Seigneur de Clausonne in Canada, was lieutenant of Infantry. He was born in 1716, married at

Montreal in 1757, Marguerite, daughter of Etienne Robbert. He was son of Louis J. Joncaire de Chabert whose parents were Antoine de Joncaire and Gabrielle Le Hardi.

MENOU D' AULNAY DE CHARNISSAY

Arms:—Gules a bend d' or. Count's coronet over a Seigneurial one.

History:—Known in Perche since the year 1055 and transplanted to Touraine, where the eldest line has possessed the feudal holding of Boussay since the commencement of the XIV Century, the family begins its record with Jean, Sire de Menou who rendered "Foi et hommage" in 1055 for the fief which he possessed in Perche. He was qualified as Chavelier.

Charles de Menou, Seigneur d' Aulnay, Count de Charnissay, cousin to the count de Razilli, Governor of Acadia, established himself also in that land in 1632, in a grand seigneurie embracing one-third of the entire province. His father was the Chavalier René de Menou, Count de Charnissay, King's Attorney and member of the Council of His Majesty. He had several children. His widow married the Chavalier St. Etienne, Count de La Tour, Baronet of Nova Scotia and one time Governor of Acadia.

JOYBERT DE MARSAN-SOULANCES

Arms:—Or, a chevron surmounted by a crescent, gules, between 3 roses of the same. Seigneurial coronet.

History:—The family of Joybert is originally from Perche and proved its place among the ancient feudal noblesse.

Pierre de Joybert, Seigneur de Marsan-Soulances came to Canada and was commandant in Acadia in 1644. He was son of Claude de Joybert by Claudia Brissier of St. Hilaire de Soulances, Châlons, Champagne, France. He married Marie, daughter of Louis Theandre Chartier, Seigneur de Lotbinière at Quebec.

DELFAU, BARON DE PONTALBA

Arms:—Gules, 2 scythes argent in saltire affrontées; a chief vert charged with 3 rocks d' or; over all a dexter canton with 2 military barons. Baronial coronet over Seigneurial one.

History:—This family is distinguished in Languedoc and has given during the XIX Century a Capitoul to Toulouse and a Royal Treasurer to France. One branch retains the name of its feudal estate (Pontalba), another that of Belfort, near Cahors, whose castle was burned by the Revolutionists in 1789.

Joseph Xavier Celestin Delfau, Baron de Pontalba was born in Louisiana and died in Paris. He was registered in the Seignorial Order and was an officer of the King of Spain in Louisiana in 1785; afterwards, Adjutant-Commandant, decorated, and a Baron of the Empire under Napoleon I in 1810. He married at New Orleans Maria Leonada Antonia, daughter of Don. Almonaster y Roxas, who was Alcalde-del-cabildo, Colonel of the Royal Regt. of Louisiana, Knight of the Order of Carlos III, etc., whose wife was Louise, daughter of the Chevalier Denys de La Ronde. Their children were, I Celestin, born at New Orleans in 1815, married there Blanche Ogden, II Alfred, III Gaston.

BRISAY, MARQUIS DE DENONVILLE

Arms:—Barry of 8 argent and gules. Supporters:—Two angels. Crest:—An eagle displayed ppr. Coronet of Marquis over Seignorial one.

History:—The House of Brisay issues from the Counts of Anjou and had a common origin with that of Mirebeau. It established its affiliation from Geoffrey Grisegounelle, Count of Anjou and Guillaume de Mirebeau, father of Ernaud de Brisay, who was living in 1043. These facts were evident to the Order of Malta which accepted these personages in the proof offered in 1659 by Octave de Brisay, sixth son of Pierre IV, Vicomte de Denonville—the proofs being attested by Lachesnaye-Desbois.

The Seigneurs de Brisay already constituted in the XI Century a very powerful family. The names of Simon and Andelon de Brisay, sons of Ernaud, figure in the charter of foundation of that of Guillaume de Mirebeau, qualified with the title of Prince. The same year Burchard de Mirebeau is mentioned in the charter of foundation of the Priory of Laval. It was he who

established the line of the Seigneurs de Mirebeau in Maine (of the House of Chourses) which was perpetuated to the close of the XVI Century and allied with the families of D' Argenson de Beaumanoir, de Coetivy-Tailbourg, de Craon, etc., and illustrated by a Crusader in 1081, a Grand Chancellor of France in 1140 and a governor of Poitou in 1578.

From the time of Aimery I, son of Simon, Seigneur de Brisay in Touraine and of Roche-Brisay in Poitou, the eldest line is continued without interruption up to 1608. Among the illustrious personages of this family may be cited Pierre II, Baronet who was at the battle of Bouvines in 1214; Raoul his son, surnamed the Great, who went on the III Crusade with the King Philippe Auguste and brought from the "Holy Land" in 1220, two "Cordeliers," the first in France, and installed them in his castle of Mirebeau; Alan IV, known as the Seigneur de Roche-Brisay, who perished at the Battle of Poitiers in 1356; Giles made prisoner at the Battle of Nicopolis in 1396 and was ranked among the 25 most illustrious whom the Sultan Bajayet spared in the hope of obtaining for their release great ransom. His arms are in the Salle des Croisades at Versailles. Madelaine de Brisay, married René Puyguyon in 1608, after the death of her brother childless.

In 1344, a second collateral line formed the family of De Brisay de Beaumont which became extinct in 1547. The only line which exists to-day is that of de Brisay de Denonville. This was founded in 1521 by Francis de Brisay, grandson of Jean, Seigneur de Roche-Brisay, who married Marie de Hémard, daughter of the Seigneur de Denonville in Beauce (sister of the Cardinal de Denonville, Ambassador for the King at Rome in 1535). The important Seigneurie of Denonville thenceforward belonged to the line of Francis de Brisay. This branch has given Pierre V, Vicomte de Denonville, Counsellor for the King in 1649, elected Deputy of the Noblesse to the States-General of that period; Jean Francis, Bishop of Comminges 1693-1710; Octave, of the Order of Malta (1659) killed at the Siege of Candia; and Jacques René de Brisay, Marquis de Denonville, first of the name in Canada, registered in the Seignorial Order and Vice-Roy of Canada for the King. His successor, Pierre René in

1795 became Colonel of the Denonville Regt. which he had raised. His son was Alexandre René, Marquis de Brisay and de Denonville born in 1810 who left a numerous posterity.

NOLANT DE BLAINVILLE

Arms:—Gules “cousu de sinople;” an eagle argent over all. Seigneurial coronet.

History:—Alexandre de Nolant, Seigneur de St. Contest in Normandy was living in 1408 and is the first known ancestor of this family.

Jacques M. Nolant, Seigneur de Blainville in the Seigneurial Order of Canada in 1762, married Marie, daughter of Jacques Perrault and at her decease, Marie A., daughter of Jean B. Céléron. He was son of Charles, whose father was Pierre Nolant of Normandy.

DOLLARD DES ORMEAUX

Arms:—Not recorded. Seigneurial Coronet.

History:—This family is very ancient. Some have traced the line to the Norman Dollar mentioned in the early records of Normandy in the days of William, the Conqueror, a branch of which family settled in England, and are to-day known as Doller. Others believe that it is derived from Dol, a town of Brittany whose Counts were descended from the Kings of Armorica of the days of Caesar: the word Dollard meaning an inhabitant of Dol.

However, Adam, or Adhemas Dollard, born in 1635, Seigneur Desormeaux was already of the noblesse when he was commandant of the advanced posts of Montreal in 1660, when the news came that 1,200 Iroquois were coming down the river way to exterminate the French in Canada, who, from Montreal to the sea only numbered 300 souls. Many of these Iroquois had been armed by the cowardly and treacherous Puritans of New England with muskets and had been incited by them to execute this awful plan of wholesale slaughter.

Dollard immediately assembled his little command of 17 soldiers and with 40 Huron allies, who joined him, marched to oppose this great body. He and all his soldiers had pledged themselves not to retreat, but to stand like a bulwark in defense and die if necessary for the salvation of the colony. He met the foe at Long Sault near the St. Lawrence, where he strengthened an old redoubt, and in spite of the desertion of the 40 Hurons to the Iroquois put up so grand resistance of one night and two days that although he and all his men were slain, they killed over 300 of the foe and inspired the remaining number with such terror that they returned to their own country.

There are a number of persons by this name in Canada, but whether of the family of this hero of New France, has not yet been determined.

DE RAMSAY DE LA GESSE

Arms:—Argent, a double-headed eagle sable, charged on the breast with a fleur-de-lys gules.

Seigneurial Coronet over the shield under that of Count.

History:—The family of Ramsay derived from the Franco-Norman conquerors has been established for centuries in Scotland, where it has borne the title of Earl of Dalhousie. One of this house was in recent years one of the most eminent governors of Nova Scotia and Canada before the confederation of 1867. Another of this eminent family, Maj.-Gen. John Ramsay, who served first in France, went to Sweden and produced proofs of his nobility from Bishop David of Brechin (1623), and was naturalized and admitted as a Noble by Queen Christina in 1634 and introduced into the House of Lords there the following year. One of his descendants afterwards became Baron Ramsay in Sweden.

Another of the same line of descent also took service in the French army after having been in that of King Gustavus Adolphus of Sweden. His name was Sir J. Ramsay, a brother or a cousin of the Maj.-Gen. Ramsay above mentioned. He went to France as a captain in the Hepburn Regt. (Hebron) in 1633 and was in the service of King Louis XIII.

Claude de Ramsay, his grandson, was the first of this family to come to Canada. He was invested with Seigneurial rank and his family had the lordship of La Gesse.

He was born in 1657, near Langres, where his grandfather's regiment was for a time stationed; and as soon as he came to years of maturity, received a commission from the King of France, and fought in Holland until the close of the war there, when he volunteered for service in Canada as captain in a corps called le Detachment de la Marine, raised for that purpose. From the officers of this regiment, for thirty or forty years, were promoted most of those who became prominent in the military rule of Canada.

In 1690 he was appointed Governor of Three Rivers. He continued to govern that town until 1703, when, on the death of Callière, he was promoted to the governorship of Montreal. During his administration at Three Rivers, he made many improvements and left the place in a much more defensible condition than when he assumed office. His wife was a daughter of the Seigneur Denys de La Ronde.

Altogether De Ramezay was father to a family of sixteen children, only four sons and five daughters came to adult years. The sons all entered the army, where two were killed and another drowned. Two daughters were married, two entered convents, and one remained a spinster.

He built in Montreal in 1705 the Château de Ramesay, which is yet standing. One of this family was the last Commandant at Quebec, in 1759, before the English occupation.

TURGIS DE ST. ETIENNE, COUNT DE LA TOUR

Arms:—Gules, a tower argent, mortised sable, posed over a wreath of olive leaves, or. Count's coronet over Seigneurial one.

History:—This family of St. Etienne de La Tour is said by some Canadian chroniclers to be an offshoot of the celebrated house of La Tour d' Anvergne and descended consequently from Godfrey de Bouillon, the leader of the first Crusade in the year 1000, who was afterwards the first Christian King of Jeru-

saalem, from whom also descend the La Tours, Princes of Sedan.

During the Catholic persecution of the Huguenots and free thinkers in France in the XVI and XVII centuries, this family of Turgis de St. Etienne de La Tour was one of the sufferers in the person of Charles, who fled to Scotland. It was there he became acquainted with the family of the Earl of Stirling, which family had been invested with the grand fief of eastern Canada termed New Scotland, or Nova Scotia, and had planned to institute then an order of baronets. Charles de La Tour married a relative of Lord Sterling, who was also a Lady of Honor to the Queen. He received from the King the patent of a Baronetcy of Nova Scotia and sailed for that province, where his son, Claude de La Tour was already governor for the King of France. The hostilities between the two as representatives of rival Kings in the country was finally arranged and another Baronetcy of Nova Scotia was bestowed on the son. Then both were recognized by the King of France as well. The son had a great deal of trouble later from his cousin and rival, the Count de Charnirsay, in the country, whose widow he married. His posterity of six sons all died in the wars of France and his two daughters married brothers, chiefs of the D'Entremont family, who were Barons of Pubnico. From another daughter is descended the present Countess of Aberdeen (1910), whose husband lately was governor-general of Canada.

The La Tour baronetcies vest in the D'Entremont family as next of kin.

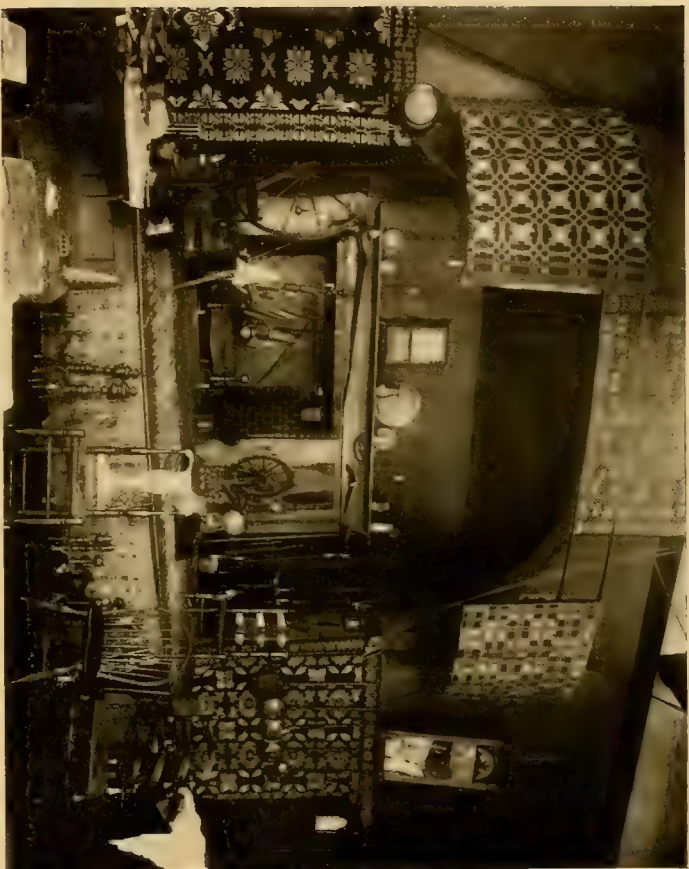
HISTORICAL VIEWS AND REVIEWS

SOUTHAMPTON'S LOAN EXHIBIT

THE village of Southampton, Long Island, recently assembled many of its historical relics in a remarkable loan exhibition. Probably no other town of its size in the country, certainly none in New York, could supply so varied and complete a collection without outside assistance. The exhibition was unique, covering as it did more than 300 years of history, while its 1,000 and more objects of interest were displayed with delightful art.

Southampton was not only the first English settlement in New York State, but it has continued to repel all foreign invasion and preserve much of the quaint atmosphere of the seventeenth century. The first citizens of Southampton, a split of the famous Lynn Colony, settled there as early as 1640. A surprising number of families have lived continuously in this same region ever since. The historic relics which formed this exhibition in a great majority of cases were contributed by the direct descendants of the early settlers. There could be no question, therefore, of the genuineness of these delightful antiques.

The loan exhibition was in part pre-Colonial. There were many interesting relics, for instance, of the Shinnecock Indians, who once lived hereabout, and gave their name to these rolling hills. There are war clubs, curious mortars, and crude cooking utensils on exhibition which have been handed down from generation to generation. At a later period Southampton became a famous whaling colony, and its boats found their way into romantic seas all over the world, and the wealth thus acquired formed the foundation of many fortunes. From these long voyages an immense amount of curious oversea plunder found its way to Southampton. The relics of this historic past have been jealously guarded for more than two centuries.



RELICS OF COLONIAL DAYS
From the Exhibition at Southampton, L. I.

After the Revolution Southampton, then an old-established town, played its part in the early life of the country. A table was on exhibition at which Washington, Lafayette, and others dined. Near by stood an exquisite old sofa once the property of William Penn and used by him in his original home in Philadelphia.

The exhibition was dominated by a great fireplace raised above the floor, which perfectly reproduced an ancient interior the fire logs, with the wood ready to be kindled; the ancient brass kettle hanging above, and a completely equipped Colonial kitchen. A row of quaint old brass warming pans occupied their proper position at one side of the settle, flanked by a collection of foot stoves of unfamiliar design.

A Colonial bedroom, reproduced to the last detail, occupied another corner of the spacious gallery. There was a massive four-post bedstead, the top hung and the sides draped with quaint old chintzes in a remarkable state of preservation.

The pillows, the bed clothing to the last piece, were originals. Colonial beds are not uncommon in the shops and museums, but a bed thus made up, with ancient coverings which, despite their 200 years or more, are yet clean and whole, is rare indeed.

A conspicuous place in the bedroom was allotted to the cradle which is believed to have been brought over in the Mayflower. It had the protecting hood made familiar by so many imitations, and, like the bed, was made up with pillow and counterpane of its period.

TAPS SOUND FOR TWO VETERAN SOCIETIES

Eight grizzled warriors who survived the once famous United States Zouave Cadets, of which Col. Elmer E. Ellsworth, the first officer killed in the civil war was the original commander, sat down to a banquet on October 10th, at the Wellington Hotel, Chicago. It was their last reunion. The roll was called for the last time, and never again will the famous Chicago Zouaves meet under the old flag to recount the tales of war. Once they challenged the world. There was not a better drilled corps in the nation. They claimed the championship, and the claim was

not disputed. When the war broke out the men went into the Federal service as officers, but the organization was so firm that the bond was never severed, except as the members were removed by death.

This year they saw that there was no use to try to get together again. The youngest man at the reunion was Frank E. Yates, sixty-eight years old, Col. P. Dwight Laffin, the highest commanding officer to survive, sat at the head of the table. He is eighty-one years old.

A similar event occurred early in September when taps sounded for the National Association of Mexican War Veterans. The 1910 reunion was held at Indianapolis but only twenty-eight of the veterans were able to get to the meeting, and as they looked into one another's eyes the solemn realization that this must be their last assemblage dawned upon them. So the slender roll call was gravely read and the men who had formed this organization to commemorate their victories under General Scott disbanded forever.

The total strength of the United States Army during the war with Mexico was 96,995. The number which actually saw action exceeded 80,000, and, at the close of the war, in 1848, more than 40,000 men were in the field. According to the last pension report, there were 2,459 survivors of this war, but many have died since that time, and most of them who remain are too feeble to carry on their organization.

SURVIVING CONFEDERATE OFFICERS

Gen. Marcus J. Wright, who has been acting as an agent for the War Department for the collection of military records since 1878, is authority for the statement that there now survive only thirty generals of the Confederate forces, one lieutenant-general, four major-generals, and twenty-five brigadier-generals. The list is as follows:

Lieutenant-general, Simon Bolivar Buckner.

Major-generals, Robert F. Hoke, G. W. Custis Lee, Lunsford L. Lomax, and Camillus J. Polignac.

Brigadier-generals, William L. Cabell, Francis M. Cockrell,

William R. Cox, Julius A. DeLagnel (declined appointment). Henry B. Davidson, Basil W. Duke, Clement A. Evans, Samuel W. Ferguson, Daniel C. Goven, James M. Goggin, William W. Kirkland, Evander M. Law, Thomas M. Logan, William Miller, John McCausland, Dandridge McRae, William McComb, John C. Moore, Patrick T. Moore, Francis T. Nicholls, Roger A. Pryor, Beverly H. Robertson, James P. Simms, Richard Waterhouse, and Marcus J. Wright.

Gens. Buckner, Lee, Lomax, Cabell, Davidson, Ferguson, John C. Moore, Nicholls, and Robertson are graduates of West Point. Gen. Buckner is a veteran of the Mexican war, and was Governor of Kentucky from 1887 until 1891, and the candidate for Vice-President of the United States on the Gold Democratic ticket in 1896. Gen. Lee was the "star" graduate of the class of 1854. Gen. Cockrell served as United States Senator from Missouri from 1875 until 1905. Gen. Cox served as secretary of the United States Senate from 1893 until 1899. Gen. Evans is prison commissioner of Georgia at Atlanta. Gen. Logan was commissioned a brigadier-general when he was only twenty-four years old, and he was the youngest officer of that rank in the Confederate service. Gen. Nicholls was twice Governor of Louisiana, and has been associate justice of that State since 1904. Gen. Pryor was appointed a brigadier-general on April 16, 1862, but resigned the commission and re-entered the service as a private. He served as justice of the Supreme Court of New York from 1894 to 1899.

A FORGOTTEN NAVAL BATTLE

"In the July *Americana* under Historical Reviews you invite criticism and correction.

In "American Naval Heroes" by John Howard Brown published in Boston in 1899 we find under Capt. Thomas Truxton, that after he returned in 1778 with the *Independence* from the station off the Azores where he had captured three valuable ships out of a Windward Island Convoy, one of the captured vessels the *Mars* being of heavier armament than the *Independence*. Capt. Truxton fitted out the prize, which carried 20

guns and he assumed command. With her he cruised the English channel for prey and sent some of his prizes into Quiberon Bay which act, in a measure laid the foundation for Lord Stormont to remonstrate with the French Court against the admission of American privateers and their prizes into French ports.

In 1779 on his return to Philadelphia he (Truxton) engaged in fitting out privateers and some of the most important of the private vessels from that port were owned in port by him. This fleet of privateers included the *Mars*, her armament increased to 26 guns, and as Lieut. Haskell fell in an engagement on the coast of Franco "in latitude 47 & 18 N. Ye 9th Sept. 1780" it is evident that the *Mars* was not a "Massachusetts Cruiser" but the privateer sent out by Capt. Truxton from Philadelphia.

On March 31, 1781 Capt. John Barry captured the *Mars*, 26 guns and 112 men while he was in command of the *Alliance*, 32 guns having in convoy the *Marques de la Fayette* 40 guns laden with stores for the American Army, shortly after he had sailed from L'Orient. In the engagement in which Lieut. Nathan Haskell fell Sept. 9, 1780, when the *Mars* was off the mouth of the Loire in the Bay of Biscay making for Mantes, France, a port friendly to the American privateers. Simeon Samson must have lost his ship when his lieutenant fell, or soon after, as the *Mars* was recaptured by Capt. John Barry March 31, 1781."

J. H. B.

THE MARY JEMISON STATUE

A bronze statue of Mary Jemison, "The White Woman of the Genesee," erected by William Pryor Letchworth, LL.D., was dedicated in Letchworth Park, Portage, N. Y., on September 19th, under the auspices of the American Scenic and Historic Preservation Society.

Mary Jemison was captured in 1755 on the frontier near what is now Gettysburg, Pa., by the Indians and, according to Indian custom, was adopted by a Seneca family to take the place of a member of the family who was killed in a battle with the English under George Washington. She was married to a Seneca Indian while yet a girl, and tramped with her babe on her back,

accompanied by her foster relatives, to the Genesee River. She lived among the Seneca Indians the remainder of her life and died at the age of ninety-one years. She was once the owner of extensive lands on the Genesee River. She was first buried in the mission burying ground near Buffalo. Subsequently, owing to the threatened desecration of the grave by the advance of modern improvements, her remains were taken up and reinterred in the Council House Grounds in Letchworth Park. The Council House Grounds are part of the beautiful estate of 1,000 acres embracing the famous Portage Falls and Gorge recently given to the State of New York by Dr. Letchworth. The statue, which was modelled by Henry K. Bush-Brown, represents Mary Jemison in Indian garb with babe on her back as she arrived at the Genesee from the Ohio.

HISTORIC OAK PRESERVED

In order to save a giant oak adjoining his residence in New Rochelle, John H. Trenor, once dancing master to the Vanderbilts, has given a deed to the city of New Rochelle of a strip of land twenty feet wide and running back one hundred feet.

The tree, which is surrounded by historic association, stands in the centre of the street and would have had to be removed but for Mr. Trenor's generosity in giving to the city land which is valued at \$12,000 per acre. It is said that this is the tree in which he was pursued by a posse of patriot runners in the early days of the revolution.

FIRST NEW YORK DIRECTORY

James Bowles of Los Angeles recently unearthed a number of curious old books among which is a copy of the first New York directory, issued in 1786. It contains the names of all the residents of New York City at that time, numbering 24,000. A review of the events of the preceding year also is contained in the book. A small advertisement tells of the "Excellent Rum" sold at 26 Broadway, now the home of the Standard Oil Company. Only forty-two lawyers were in New York at that

time, and side by side are the names of Aaron Burr and Alexander Hamilton.

IRVING AND PAYNE

Breathing Jocosé threat is a letter from Washington Irving to John Howard Payne, author of "Home, Sweet Home," written some time prior to 1821, when Irving and Payne were both in London and one of Payne's plays was shortly to have its first production. The letter is printed in "Correspondence of Irving and Payne" in the October Scribner's. It is as follows:

Dear Payne: I find you have many applications for orders and should feel delicate about applying for any—but I know they cost you nothing, and that you are anxious to have your friends present. I mean to get Newton and Leslie to accompany me and make a party to persuade the folks not to hiss. If you can furnish us with orders—so; if not we will go at our own expense and consider ourselves at liberty to hiss as much as we please.

We will call at your lodgings on our way to the theatre; if you have spare orders leave them for us. I wish to hold out no menaces; but I have in my possession a catcall that has been of potent service in helping to damn half a score of new tragedies.

Yours truly,

W. IRVING.

JERSEY CITY 250 YEARS OLD

Beginning October 16, Jersey City, N. J., celebrated the two hundred and fiftieth anniversary of the first organized settlement in New Jersey. This occurred at Bergen, one of the hill centres of the city.

The celebration continued throughout the week, during which there were religious services in Dutch in the Bergen Reformed Church, the existence of which dates from 1660; an exhibition of historic relics; a congress of patriotic societies; special exercises in the public schools, and a military parade and banquet.

DECEMBER, 1910

AMERICANA

CONTENTS

	PAGE
The Lure of Buried Wealth. By Louis Baury . . .	1093
Military Grants in the United States. Part I. By J. B. Ofner	1103
Raphael Semmes. The Man who Disputed the Ocean Carrying Trade of the United States. By Elizabeth Catherine Bott. Louisiana State University . .	1112
The Scot in New England and the Maritime Provinces. Part VII	1121
Little Wars of the Republic. Part V. The American Filibusters. By John R. Meader	1130
History of the Mormon Church. Chapters XXXII, XXXIII and XXXIV. By Brigham H. Roberts . .	1141
Heraldic Considerations. General European Nobility and Its Heraldry. By the Viscount de Fronsac . .	1185
Historic Views and Reviews	1193

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S^T HEN: MORGAN

One of the Most Celebrated Buccaneers

AMERICANA

December, 1910

THE LURE OF BURIED WEALTH

BY LOUIS BAURY

FIVE hundred miles from Panama, set down in a secluded part of the Southern Pacific's tepid waters, is a small emerald patch of palm-shaded land called Coco's Island. It's an insignificant little spot, as islands go, yet scarcely a year passes but what some adventurous soul equips an expedition with lavish outlay and stakes his all on a trip thither. There is nothing of a scientific nature to call him there, nor are there savages, nor unknown species of men, nor queer beasts which when shot, stuffed, and neatly docketed in a natural history museum serve to send the slayer's name down to posterity. Commerce does not there exist to send out its call to the importer or the business man, and aside from a fat and not particularly amiable German governor, and a stunted and quite undeveloped vegetation, there are scarcely any signs of life on the island at all. Its sole attraction lies in the fact that legend reports one hundred million dollars' worth of coins and jewels to be secreted somewhere in its sea scoured caves. In times when a man is willing to toss his all into the maelstrom of the stock-market for the mere hope of snatching, as, will-o-the-wisp like it flits by him, some other man's all, it does not seem remarkable that the rumor of a hundred millions has actuated scores of journeys to this little island of mystery and wealth.

Since the beginning of time man's blood has quickened in his veins, his heart beat faster, and his eye shone brighter at the prospect of getting something for nothing. It is this innate and eminently human desire, latent in us all, which has supplied the

excuse for the existence of all manner of impostures. The average man loves to gamble, and of all forms of gambling none is so fascinating, so romantic, as the lure of the treasure hunt.

The story of the Cocos Island treasure is closely linked with some of the most thrilling chapters in the history of those delightful rascals, the buccaneers. Prior to the year 1815 it is estimated that various of the old pirates the tales of whose picturesque adventures thrilled us in our boyhoods, deposited there from time to time booty whose worth aggregates \$25,000,000. In 1821 this was augmented by a portion of the loot of Benito Bonito, which is supposed to amount to \$60,000,000. While this country was busy with the war of 1812, a Spaniard of high lineage, was cruising Caribbean waters as a licensed privateer, for the purpose of protecting galleons which were conveying gold bars from Indian mines to the courts of Spain and to the Vatican. The Spanish government has always been careful to shield the identity of this man, but in his later life he styled himself Benito Bonito, and it is under that name that he has gone down in history. He had not been many days out with his rich cargo before it occurred to him that the wealth aboard would be much more beneficial to him than to either the King or Pope, and he thereupon blandly cut the throats of such members of his crew as refused to become a party to the stealing of it, and, supported by the little band that was willing to fall in with his plans, ran up the black flag and for four years thereafter sailed the seas as a full-fledged pirate. Overhauling treasure ships, landing at cities, sacking churches, mints, and palaces, even showing the temerity to invade Mexico during the reign of Emperor Iturbide, he very shortly became the terror of all travellers by sea. Finally, after he had acquired more plunder than any other buccaneer of whom history tells, the nations of the earth united to track him down. Sore pressed, Bonito put in at Cocos Island and, burying his treasure there, hastily set sail again. Before he could make good his escape, however, he was intercepted. Rather than suffer capture he blew out his brains while the governmental agents were still clambering over his ship's side. The rest of the crew were taken prisoners and subsequently all paid the penalty of death, with the sole exception of an English renegade sailor

named "Bug" Thompson. The latter, secure in the knowledge that he was the only living soul cognizant of the whereabouts of Bonito's plunder, served in the British Navy for seventeen years without attempting to regain any of his former chief's wealth. During the Chilean War he found himself in command of the British brig, "Mary Dear," on which were stored crosses, altars, rails, and statues of silver and gold, together with much money and large quantities of jewels which had been pillaged from Cathedrals and the homes of old families. Remembering the example of his former leader, Bug Thompson promptly murdered the six Peruvian guards who had been kept on board, and made off for Cocos Island, twelve hundred miles up the coast.

He reached there in safety and, opening up the hole where the former pirates horde was concealed, added thereto his own takings, which amounted to \$15,000,000. With knowledge of the whereabouts of \$75,000,000 Thompson had visions of becoming a Monte Christo of fact. But there seems to be a psychic fatality hovering about Cocos' shores. Thompson had sailed but a little way from the island, after depositing his treasure, when a Peruvian sloop of war captured his vessel. Of those aboard only Bug Thompson himself was spared, his captors exercising clemency in the hope of wringing from him the secret of the buried treasures. Before they could do this, however, he made his escape into the jungle. Nothing was heard of him until nearly two years later when he appeared in London, possessed of plenty of money and posing as a Brazilian diamond merchant. Within a few months he spent more than a quarter of million dollars, and then decided upon a trip to Halifax, Nova Scotia, in search of old friends. On his way thither he made friends with a man named Keating, who invited him to become his guest. One night at the latter's home, while under the influence of liquor, Bug Thompson told Keating the story of the Cocos' Island treasure, and, it is believed, presented him with a map showing its exact locations. Within a week Thompson died a most mysterious death, which to this day has never been explained, and, within a few months, Keating, in company with a partner named Bogue, whom he was forced to take on, was on the ground at Cocos Island. They had no trouble in locating

the treasure and the sight which then met their eyes was one that vastly exceeding their wildest dreams, excited their cupidity to the highest pitch. They resolved to tell the crew which they had brought with them nothing of their findings, but their heightened color and excited mien betrayed them, and the tale was forced from them. The men insisted upon an equal division of the loot and that night was spent in unrestrainedly hilarious revelries of celebration. When the rejoicing was at its noisiest pitch, and all the crew, save Bogue and the crafty Keating were befuddled with wine, these two loosed a whale boat and slipped noiselessly off into the night.

Again they found the treasure ground, and loaded their small craft to its utmost capacity with the rich loot. Their only sorrow was that they were incapable of carrying away more. They agreed grudgingly upon an equal division, and made off rapidly with that understanding, for, though the larger ship would have carried ten times as much their avarice would not permit them to make the more general distribution.

The sums they took away amounted to \$150,000 apiece, but on the homeward journey Bogue lost his balance and, pitching out into the sea was never seen again. At least that was the version of the story given by Keating in his old age to two young men named Hackett. Keating lived comfortably on his romantically acquired \$300,000 for the rest of his life, but, owing to the strange deaths of both Thompson and Bogue, people would have but little to do with him and his life was lonely and unhappy. His only friends were the Hacketts, and to them he intrusted the secret of the booty shortly before his death.

Of course, the fascinating lure of the buried millions proved irresistible to them also. But the fatality clinging to that hundred square miles in the far Southern Pacific did not seem to wane. The elder Hackett set sail for the place in 1885, yet proceeded only as far as Havana, where he was stricken with yellow fever and died almost immediately. Ten years after this Fred Hackett, the younger brother, who is still alive, arranged to throw off the superstitions which all these tales had naturally awakened in him, and, forming an alliance with Keating's widow, fitted out a ship for the recovery of the remainder of the

treasure. The expedition was a failure and a series of dissensions from the outset. In his crew Hackett has six former sea captains, and these did nothing but perpetually bicker with one another over tactics and courses. When the island was finally reached no treasure was discovered in the places indicated on the old maps, and the party disbanded with each loudly denouncing all the others and blaming them for the failure.

There have been numerous similar expeditions fitted out for the recovery of this treasure, and heavily backed corporations have even been formed in the effort to recover it. The surly old German who sits in grim guard over these blood-tainted hords of Benito Bonito and "Bug" Thompson, will tell the chance traveller that one man once picked up two gold pieces of Spanish make bearing the date 1788, while one of the elaborately equipped expeditions sailed away with a battered silver crucifix as the only fruit of its labors, but aside from that, he declares, money has always been as scarce in Cocos' Island as travelling salesmen in a dry town.

Despite this fact, however, it may be that some adventurous soul has unearthed the hidden booty in the course of his prowlings, and quietly taken himself off without a word about it. This seems to be the regular procedure in such affairs. Expeditions start out with a great blare of trumpets and voicing of confidence, but when they do find anything are very apt to keep the matter to themselves. This may have been the case with the Cocos' Island treasure, but the added mystery seems rather to enhance than dim the ardor of the fortune seeker. Even now the younger Hackett is making plans to launch another expedition toward the fated little island in 1911, and similar trips are being planned by numerous other undaunted venturers.

The same holds good with regard to other buried treasures. For there are other treasures, many of them, and if they have been discovered there is no record of the fact. Indeed, in most cases even their whereabouts is shrouded in a thick veil of uncertainty. This is the case with the famous treasure of Captain Kidd. Oak Island, in Mahone Bay, off the Nova Scotia coast, is the spot thought most likely to be the repository for his plunder. Not a great while after Captain William Kidd was hanged

in London, in 1701, a part of his treasure was found at Gardiner's Island. There was so little of it, however, that no one was willing to believe it constituted his real treasure, and Oak Island exactly fits the description which Kidd himself left of the hiding place of his treasure. Ever since 1795 intermittent operations for the recovery of this traditional cache of bullion and silver have gone on. Pits have been started over the spot where the treasure is supposed to lie by innumerable seekers, but in almost all instances the washing sea has frustrated their efforts and wiped out the evidences of their work. One company of seekers, operating in 1890 by the use of drills, discovered some interesting clues to this supposed treasure. Their auger, at a considerable depth, pierced eighteen inches of spruce and then went through eight inches of oak; immediately after that it passed through a half-inch of iron which was followed by space. When the drill was taken up it was found that the auger carried a heavy piece of gold chain. Encouraged by this, another company was formed in 1909 to operate at the same place, but once again the waters annulled their efforts. Whether or not this company is still at work is not positively known, but it was equipped with diving apparatus, diamond drills, and every possible facility for overcoming the subterranean flood which covers the supposed treasure.

Against all this, though, must be set the unromantic tale of an old Bay of Fundy sailor who made one of the expeditions of 1890, he claims that if any gold chains had really been found he would be at Oak Island yet. What actually occurred, according to him, was that the party found a heavy oak chest which, upon being opened, was discovered to contain nothing but rum. This the old sailor states he and his comrades drank on the spot, departing without making any subsequent proclamation of their findings because of the excellent joke which it appeared to them to permit future parties to waste time and money exploring untenanted holes in the grounds.

There may really be truth in this old man's tale. Although it is a popular idea that a pirate never buried anything but gold, the fact is that these old time ravishers of the sea, when unable to land with safety at any port where law prevailed, frequently

hid away cargoes of varied sorts which they were attempting to smuggle ashore. It is just possible that the total of Captain Kidd's treasure may have been vastly exaggerated throughout the years, and what he buried in reality be nothing but rum.

A vast amount of wealth has been recovered since deep-sea diving has become highly perfected. Lambert, the famous diver, heading an expedition in quest of the wealth aboard the "Alphonso XII," resting under 160 feet of water, off Point Gando, Grand Canary, forced the scuttles of the ship, entering the magazines, obtained \$450,000 in ancient Spanish coin. Another notable deep-sea recovery was the salvage of about \$50,000 worth of silver bars from the wreck of the steamship "Skyro" which A. Erostarbe reached after three parties had tried for it without avail. The diver was obliged to employ dynamite in effecting an entrance to the cabin, while his task was rendered doubly difficult since the deck was collapsed to within 18 inches of the cabin floor. Another tale, even more picturesquely thrilling, is that connected with the "Hamilla Mitchell" lost on the Leuconna Rock near Shangai, with a heavy and valuable cargo, besides specie valued at \$250,000. R. Ridyard and W. Penk of Liverpool, England, both expert divers, searched for the ship after it had been pronounced hopeless by several experts. After a long search, they found the boat rent asunder amidships with the after part, which contained the treasure, washed out into water more than twenty fathoms deep. It was a labor of hours to gain access to the treasure room, but Ridyard finally accomplished it and made, in all, four successful trips, on the last of which he sent up the contents of 64 treasure boxes. At that point the advent of a squadron of piratical junks, bearing down upon the seekers, caused them to abandon operations and make a hurried flight. The total amount of treasure recovered on that occasion amounted to \$200,000. The balance was regained some time later, but not by them.

Although these recoveries are particularly notable on account of the great depths of water at which they were performed, still larger sums have been brought up from wrecks by divers. Among the most important of the latter was the salvage of bullion amounting to \$1,500,000 from the "Malabar," the recovery of

\$500,000 worth of wool from the "Darling Downs" and the recovery of cargo and specie valued at \$600,000 from the "Queen Eliazbeth." In nearly all of these cases, too, little articles of historic worth such as lamps, vases, knives, and crucifixes, were also brought to light.

It is an interesting fact that in recent years the scene of treasure hunting has shifted from the West Indies and the Pacific to the North Atlantic coast. The reason for this is altogether logical. Although the romantic novelist considers tropic islands, yellow fever, and blossoming date trees, indispensable to the site of buried treasures, the buccaneers of old were unfortunately not so well versed in the requirements of local color. At the time when Kidd and Morgan, the master of all pirates, were sailing the seas, the buccaneers had fear for neither man nor devil and with the sole idea of rendering their loot as inaccessible as possible, it is only natural to suppose that they should choose the islands of the North Atlantic coast, then practically unknown, as the safest and most likely of hiding places. The finding of the stray bits of plate and coins on Oak Island and similar places within comparatively recent times would seem to bear out this theory. Possibly, too, this treasure has been recovered without that fact's becoming common knowledge. For instance, they tell a tale at Eastport of a schooner which dropped anchor two years ago in one of the coves of Campobello Island, in Passamaquoddy Bay. It had no cargo and no apparent business to transact with either Campobello or Eastport, wherefore the customs officials, believing it to be a smuggler, kept close watch of it. One night the schooner weighed anchor and slipped quietly up the bay. The customs officials followed behind in a boat with muffled oars. Near Casco Island the ship anchored and, armed with picks, shovels, and mattocks, the men put off in boats toward shore. The customs officers, thinking that this partook not at all of the nature of immediate smuggling, went home about their business. Toward dawn the crew came back to the schooner, which promptly weighed anchor and sailed away, never to be seen in those waters again. Then the customs officials journeyed across to Casco Island to investigate matters. They found a hole in the ground large enough to admit an ordinary

sized frame house. About it was newly thrown dirt and the unmistakable evidence of some heavy object's having been removed from within. That was all. Who the men were, what they were digging for, and what they got, will never be positively known; but the inhabitants of Eastport will assure you that it was buried treasure.

There are numerous other tales of mysteriously hidden loot. Only the other day, one of these was shattered when divers explored one of the ill-fated ships of the old Spanish Armada, wrecked off Tobermony, Scotland, which had long been supposed to contain a rich cargo of money and jewels, but was actually found to hold nothing of any value other than an historical one. There is also a tale of rich treasure in the Cayman Islands, although all who set out in quest of this, return disenchanted. Still the hunt continues unabated in all quarters where there are treasures or rumors of treasures. In the Spring, Captain M. Hargruder, a sailor of many years' experience, proposes to set out from Galveston, Texas, in search of the treasure of the famous pirate Jean Lafitte, who is known to have buried his plunder in various of the inlets of the Gulf coast. Already about \$25,000 worth of the Lafitte treasure has been recovered, but it is believed that the bulk of it is yet to be found. If ever recovered, this should be worth many millions. Captain Hargruder is armed with old charts of the Gulf, which Lafitte himself once used, and which have been passed on to the present possessor by his father who was one of the old pirate's crew. Hargruder plans to take with him a geologist, a mining engineer, a civil engineer, and a large corps of laborers, and he declares that he is willing to spend the rest of his life in his quest. If Captain Hargruder's assistants hold out that long he may very likely get something for his trouble, for treasure is certainly there.

And so it goes. Unstable, often incredible, always distorted, the tales of buried treasure always and forever hold out an undeniable fascination to the adventurers. Certain it is that treasure does exist in some quarters, and that some of it has actually been recovered. Meanwhile, what did Captain Kidd do with the bulk of his loot? What became of the vast treasure of Harry Morgan? Where lie the riches of Captain England,

“Bluebeard” Tench, and the irrepressible Mansvelt? These are questions which have never been answered. It is positively known that all of these buccaneers amassed vast fortunes, and that history is unable to give a record of what became of any of them. Until these questions can be answered there will always be those who will be swayed by the lure of the mystic millions, and will heed their century old, seductive call.

MILITARY GRANTS IN THE UNITED STATES

BY J. B. OFNER

PART I

THE equivalent of an empire in area—one-seventh of the remaining public domain—was given in the United States for military service. The donors were the Nation and some States. The recipients were the soldiers in the early wars, their heirs or those to whom they assigned the right. These grants will serve as a cimetographic reel of epochs, events and conditions. In fact, the record of the disposal of the public domain, portrays the footsteps of the explorer, the pioneer, the colonist, the soldier, the railroad-builder and the settler.

Military grants are of long established usage. William, the Conqueror, divided the realm among his generals. Large estates have frequently been presented to disciples of the sword. The American colonist allotted land to the Indian fighter and the frontiersman. Land was plentiful. Money was less in evidence. The vast uninhabited territory was an excellent coffer-box to remunerate soldiery. It paid the soldier and invited his settlement on the frontier. This was desirable. On February 19, 1754, Governor Dinwiddie of Virginia stimulated participation in the French and Indian war with an offer of 200,000 acres. This was afterwards surveyed in the Ohio river valley and at least, 15,000 acres was granted to Washington for his own personal services. Upon the conclusion of hostilities, the King supplemented this donation with the proclamation of October 7, 1763, directing his Governors in North America to award to the resident reduced officers and men, land warrants varying from 5,000 acres to a field officer to 50 acres to a private. Washington's coloneley earned him 5,000 acres more. This issue of war-

rants was satisfied with tracts in New York, Pennsylvania, West Virginia, Kentucky, and other eastern States. The Revolution prevented the satisfaction of a large number. Virginia relieved some of her own soldiers by redeeming such unsatisfied warrants as has been assigned to them. In some instances, Congressional relief was invoked, but denied because the warrants constituted a British obligation.

On August 14, 1776, the Continental Congress offered 50 acres of land to persons deserting the English army. This was a retaliatory measure and designed for the Hessians and was the first national legislative expression concerning the disposition of the public lands. On August 27, 1776, a further offer was made to deserting officers ranging from 1,000 acres to a colonel, to 100 acres to a non-commissioned officer. It was determined at the outset to make the western lands a valuable military asset. The first bounty-land tender to our own soldiers was on September 16, 1776, which was followed by several resolutions, the total effect of which was that the Secretary of War was required to issue land warrants to the officers and soldiers in the Revolution allowing each major-general 1,100 acres, each brigadier-general 850 acres, each colonel and chief physician 500 acres, each lieutenant-colonel, physician, surgeon and apothecary 450 acres, each major and regimental surgeon 400 acres, each captain and surgeons' mate 300 acres, each lieutenant 200 acres, each ensign 150 acres and each soldier 100 acres.

Until the requirement of territory through State cessions, the national government possessed no land and it was understood that the States would redeem these promises. This proved unnecessary and the federal government satisfied its own warrants. However action was taken along similar lines by Virginia, New York, Pennsylvania, Maryland, North Carolina, South Carolina, Georgia and Massachusetts. No bounty-land was accorded by New Jersey, Delaware, Rhode Island, Connecticut or New Hampshire. They owned no extensive tracts like the larger States. There were other methods of infusing military enthusiasm by all the belligerents. Bounties consisting of everything from "knee-breeches" to a "negro" were offered. The confiscated lands of the tories were sold or leased for the benefit of the sol-

diers. It is not proposed to dwell on bounties of money or personal property, pensions, increased pay, confiscation, nor on realty granted for the purpose of protecting the army from loss occasioned by a depreciated currency. The exigencies of the times found expression in many variegated inducements.

Owing to the destruction of war office records in 1800 and 1814, it cannot be accurately stated how many warrants were issued under the continental resolutions. Late estimates place the figures at 16,683 warrants totalling 2,666,080 acres. This old series was satisfied mainly in four ways. First, by location in the United States Military District, Ohio; second, by surrender in payment of land purchased by the Ohio Company and Symmes; third, by exchange for scrip of equal acreage under section 6 of the act of May 30, 1830, and supplemental provisions, and fourth, by location throughout the public lands after July 27, 1842. There were undoubtedly other manners of redemption, which owing to the complicated and numerous land laws cannot be minutely detailed. The Erie Purchase was sold to Pennsylvania and these warrants are alleged to have formed part of the consideration. It will be herein perceived that a number were assigned to the surveyor-general of New York for the benefit of the people of that State and used in redeeming certain State securities. It is inferable from legislation that a few may have been located in South Carolina.

The United States Military District, Ohio, comprises in whole or part the counties of Tuscarawas, Guernsey, Noble, Muskingum, Coshocton, Holmes, Licking, Knox, Morrow, Marion, Delaware and Franklin. Up to 1802, warrants aggregating 1,060,000 acres had been located therein by the soldiers, their heirs or assignees. On July 3, 1832, provision was made for the sale of the unlocated land therein. The warrants surrendered by the Ohio Company and Symmes are claimed to have amounted to 238,694.66 acres. On November 15, 1834, it was reported that 648 of these warrants were exchanged for scrip totalling 97,750 acres, which was receivable for land in Ohio, Indiana and Illinois. How many more were so satisfied cannot be stated. Many laws were passed respecting these warrants extending their use, location and issuance. Finally the distinction between officers

and privates was discontinued and all were accorded 160 acre warrants. The number afterwards located throughout the public domain is not known.

On April 23, 1783, Congress promised land to the officers and men from Canada and Nova Scotia in the army. Eventually they were allotted a strip of land east of Columbus, Ohio, known as the Canadian Refugee Lands, lying in Franklin, Licking and Fairfield counties. The government issued 178 patents for 57,-860.72 acres in this district. New York also rewarded some of these refugees with realty. In this connection it should be noted that land was also promised to certain Canadian volunteers in the War of 1812 in the following denominations: Colonel 960 acres, major 800 acres, captain 640 acres, subaltern 480 acres, and non-commissioned officers, musicians and privates 320 acres. These proportions were reduced on March 3, 1817, so that applicants subsequently asking the benefits thereof received about one-half of said amounts. This was effective for a year and the warrants were applicable to Indiana. Patents for 72,903.14 acres in Indiana were issued by the United States. The foregoing are the last federal land bounties differentiating between officers and men in the size of their quotas. In 1850 an unsuccessful attempt was made by the surviving officers of the War of 1812 to discriminate in their favor with larger sized grants.

On March 3, 1791, Congress empowered the Governor of Indiana territory to grant 100 acres of land to each militiaman enrolled at Vincennes or Illinois territory and who performed such duty. There were granted 221 lots aggregating 22,100 acres in Knox county, Indiana.

Enlistment in the War of 1812 was encouraged by offers of 160 acres of land, and on May 6, 1812, two million acres each was appropriated in Illinois, north of the Illinois river, in Michigan, and in Louisiana between the Arkansas and St. Francis rivers being in the present bounds of Arkansas. In 1816 the land in Michigan was released, and one and one-half million acres in said Illinois district and one-half million acres in Missouri, north of the Missouri river substituted in lieu thereof. Some soldiers received double bounties, or 320 acres. Warrants for 4,845,920 acres issued hereunder, which were satisfied in said

districts by lottery. The warrants were non-transferable and were not delivered to the soldiers. They were retained by the government which ascertained each soldier's tract by a drawing and issued patents to the beneficiaries. This arrangement was unsatisfactory as the soldiers could exercise no option in the selection of the character of the land or the locality thereof, and frequently secured undesirable tracts or in communities where they did not wish to settle. Subsequently the parties could exchange uncultivable tracts for fertile land in the same State. The Missouri reserve is in Carroll, Livingston, Linn, Chariton, Macon and Randolph counties. After July 27, 1842, they were made locatable throughout the public lands with technical restrictions. Warrants located thereafter were not restricted to military districts.

On February 11, 1847, land bounties were ordered granted to the Mexican war participants, which could be applied on certain classes of land in the western territory. On September 28, 1850, provision was made for the regulars in the war of 1812, Mexican war and Indian wars. On March 3, 1855, legislation was enacted providing generally for warrants for 160 acres for certain prescribed active military or naval service prior to that date. No land was given for subsequent service which was otherwise rewarded. The participants in the Civil and Spanish wars and Phillipine insurrection were given additional rights under the homestead land law whereby they were allowed to have the period of military service not over four years deducted from the five years residence. Soldiers making homestead entries before 1874 for less than 160 acres could make additional entries so as to make in all 160 acres.

The foregoing is a brief outline of federal action on this subject. The western States did not own the public land and of course gave no bounty-land. The eastern States owning extensive territory gave land for service in the Revolution but not in subsequent wars, except Georgia in the war of 1812. This should be borne in mind because the records of the disposition of land in the non-public land States are in the custody of the respective State officials and not with federal authorities. This applies also to Texas.

The bounty-land system of New York is inseparably associated with the promises made by the Continental Congress. The Empire State not only quintupled the grants made by the national government but also satisfied such bounties with land in her own limits and arranged so that a soldier could receive his bounty-land, both State and national, in contiguous tracts in his home State. This probably served to discourage emigration among a class of citizens much needed on the New York frontier. There was allowed to each major-general 5,500 acres, each brigadier-general 4,250 acres, each colonel 2,500 acres, each lieutenant-colonel 2,250 acres, each major and chaplain 2,000 acres, each captain and regimental surgeon 1,500 acres, each subaltern and surgeon's mate 1,000 acres and each non-commissioned officer and soldier 500 acres. There should be added hereto twenty per cent. additional by reason of federal bounty. In some instances the parties received their national bounty in Ohio and the New York bounty in said State. In most instances all was satisfied with New York land. The beneficiaries consisted of her own troops, an exception being made with Baron Steuben. The land was assigned by drawing and lies in 28 townships given the following classical names in numerical order: Lysander, Hannibal, Cato, Brutus, Camillus, Cicero, Manlius, Aurelius, Marcellus, Pompey, Romulus, Scipio, Sempronius, Tully, Fabius, Ovid, Milton, Locke, Homer, Solon, Hector, Ulysses, Dryden, Virgil, Cincinnatus, Junius, Galen and Sterling. Each township was divided into 100 lots of 600 acres each, six of which were reserved for the benefit of religion, literature and education and also in allotting fractional portions. New York soldiers holding United States Revolutionary bounty-land warrants could assign them to the people of that State and as herein stated, secure the land in their own vicinity. The land commissioners were authorized to use these same warrants in redeeming certain public securities issued by New York. Thus the State became subrogated to the soldier's right to federal bounty-land and made commercial use thereof and the same were ultimately satisfied by the United States, which issued patents to remote transferees for land in Ohio. The amount of land granted by New York to her soldiers of the Revolution

might be estimated at about 1,500,000 acres. It will be found that the warrants which were assigned through the people of New York, were made to the surveyor-general of that State as trustee. This policy of compensating soldiers was not applied to the war of 1812.

On March 12, 1783, Pennsylvania provided for military grants in the northwestern part of the State, being north of the "Depreciation Lands" or north of an easterly and westerly line passing through the point where Mahoning creek empties into the Alleghany river, and west of said river. General William Irvine explored these lands on behalf of the soldiers and in 1786 there were surveyed in this territory, ten donation districts numbered consecutively from south to north, which lie in Venango, Butler, Warren, Lawrence, Mercer, Crawford and Erie counties. The grants were restricted to Pennsylvania officers and men, a notable exception also being made with Baron Steuben and possibly a few others. These grants were independent of the federal bounties, which they were not to affect or invalidate.

The allowances were: Major-generals 2,000 acres, brigadier-generals 1,500 acres, colonels 1,000 acres, lieutenant-colonels 750 acres; surgeons, chaplains and majors 600 acres, captains 500 acres, lieutenants 400 acres, ensigns and regimental surgeon's mates 300 acres, sergeants, sergeant-majors and quartermasters 250 acres, private and minor non-commissioned officers 200 acres. On May 3, 1785, it was reported that there would be required 2,570 lots aggregating 585,200 acres. The tracts were all surveyed into 200 lots of 500 acres each, 100 lots of 300 acres each, 210 lots of 250 acres each and 2,170 lots of 200 acres each, making a total of 2,680 lots for 616,500 acres. Four lottery wheels, each containing the 500, 300, 250 and 200 acre tickets respectively, which were each marked to describe the land by lot number and donation district, were used. The beneficiaries drew their tickets, forming combinations to fit their allotment. Accordingly the land was necessarily not always in one tract, but one grantee might have his land scattered through several counties.

On the final adjustment of the New York boundary, 120 lots in District No. 10 fell into that State, but relief was accorded

and reselections permitted in Pennsylvania. In the settlement of all these grants, considerable legislative and judicial recourse was had and the matter was not finally closed until March 31, 1845, when all the vacant tracts therein were restored to their original classification as unappropriated public lands of Pennsylvania. A large number of tickets were never drawn and it might be considered that 600,000 acres is an impartial estimate of the amount of land granted by Pennsylvania to her "Boys of '76." No land was granted for participation in the War of 1812.

In 1777 Maryland offered 50 acres to recruits and originated a departure by tendering recruiting officers 100 acres for 20 men delivered before January 20, 1778, and 50 acres for each 20 men secured prior to March 31, 1778. Three years enlistment was required. In Nov., 1781, land in then Washington county was appropriated for the satisfaction of these bounties. Francis Deakin surveyed the tracts into 4,165 lots of 50 acres each. It is deducible from legislation that there were granted 2,475 lots to soldiers, 100 lots to recruiting officers and the remainder to officers, who obtained four lots each. It might therefore be computed that Maryland contributed 208,250 acres to her soldiers of the Revolution, which lie in the present bounds of Alleghany and Garrett counties. No promises were made by Maryland for services in the War of 1812.

In May, 1782, North Carolina authorized the issuance of land warrants to her Continental troops giving privates 640 acres, non-commissioned officers 1,000 acres, subalterns and surgeons' mates 2,560 acres, captains 3,840 acres, majors and surgeons 4,800 acres, lieutenant-colonels 5,760 acres, colonels and chaplains 7,200 acres, brigadier-generals 12,000 acres and Major-General Greene 25,000 acres. In 1783 provision was made for a reserve in the present limits of Tennessee between the Cumberland and Tennessee rivers, the Virginia line on the north and on the south by a parallel line 50 miles distant. Grants were also made in other parts of the State. Colonel Martin Armstrong superintended the surveys and maintained an office at Nashville. The Tennessee constitution recognized the validity of these grants. The grants are not all in one contiguous tract, and will be found

described by natural boundaries. North Carolina was more munificent to a private soldier than any other State or the Union, allowing him 640 acres. Respecting officers, the honors must be divided with Virginia. It is thought that the largest military grant in the United States for Revolutionary service performed by one person, was the one given to Greene by North Carolina. It is described as being on Duck river and its legality being challenged, was upheld by Chief Justice Marshall in *Rutherford vs. Greene's heirs* (4 United States 73).

(To be Continued.)

RAPHAEL SEMMES

THE MAN WHO DISPUTED THE OCEAN CARRYING TRADE OF THE UNITED STATES

BY ELIZABETH CATHERINE BOTT

Louisiana State University

IF the damage done by Raphael Semmes to the commerce of the United States could be estimated by the value of the ships he burned and the cargoes he destroyed, ten millions of dollars might cover the amount. But that was only a part, a very small part, of the total cost, a cost that grows greater and greater each year, for the damage Semmes did lived after him. He, more than any other one man, paralyzed the ocean-carrying trade of the nation.

Before the Civil War the Stars and Stripes were known on every sea and in every harbor. Next to Great Britain, the United States had the largest share of the commerce of the world and it seemed only a question of time, and not a long time, either, when this country would rank first. To-day America, the greatest nation in the world, commands no sea traffic except that between its own ports, and it commands that only because the ships of other countries are excluded from sharing in the coastwise business. Other agencies have contributed to the long-continued paralysis, but the first great blow, the one that brought the stagnation that led to ruin, was struck by Semmes.

After the Mexican War, Lieutenant-Commander Semmes did constant sea and land duty until 1855. Then, in 1860, he was promoted to the rank of commander and made secretary of the Naval Lighthouse Board at Washington, the position he held at the outbreak of the Civil War. The public mind, North and South, was in a restless mood, and as the day of compromises

was evidently at an end, he had decided to retire from the Federal service at the proper moment, and was only waiting for that moment to arrive. His intention of taking service with the South had been made known to the Alabama delegation in the Federal congress early in the session of 1860-1861. He did not doubt that Maryland, his native State, would follow the lead of her more Southern sisters, but, whether she did or not, would make no difference to him, since his allegiance, and service, had been pledged to another State, Alabama. The month of February, 1861, found him still in the city of Washington, but the following extract from a letter written by him to a Southern member of the Federal Congress, temporarily absent from his post, will show the manner in which he was regarding passing events:

"I am still at my post at the Lighthouse Board, performing my routine duties, but listening with an aching ear and beating heart for the first sounds of the great disruption which is at hand."

On the 14th of that month, while he was sitting quietly with his family after the labors of the day, a messenger brought him the following telegram:

MONTGOMERY, Feb. 14, 1866.

SIR: On behalf of the committee on naval affairs, I beg leave to request that you will repair to this place, at your earliest convenience.

Your obedient servant,

C. M. CONRAD, Chairman.

Commander Raphael Semmes,
Washington, D. C.

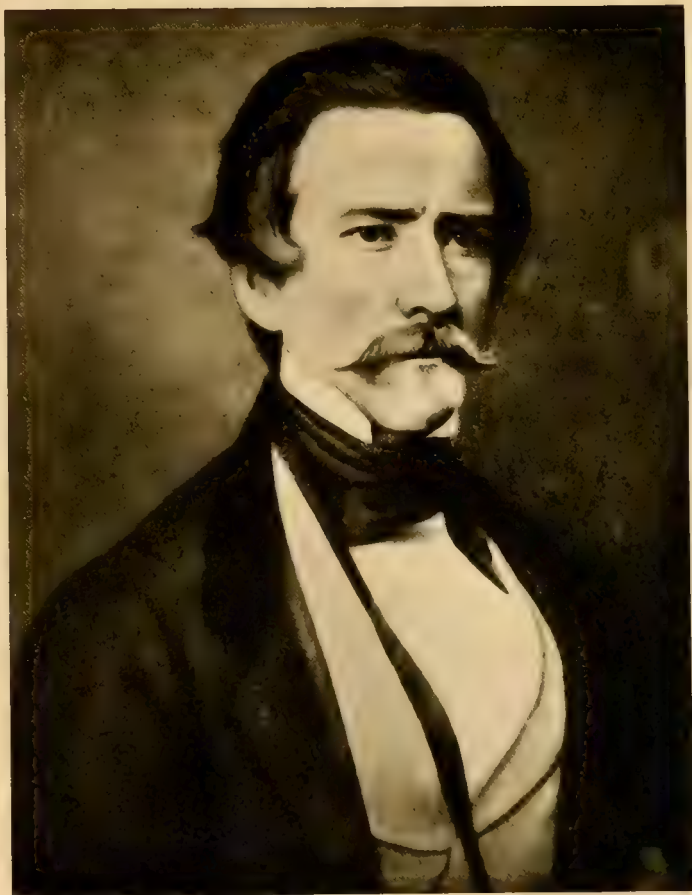
Here was the command for which he had been so anxiously listening. The telegram reached him about 4 o'clock in the afternoon, and he responded to it on the same evening.

Two days later, the day after he had resigned his commission, he left for Montgomery, by way of Fredericksburg and Richmond. After an interview with Mr. Davis he was sent North to purchase military supplies. In New York, Connecticut, and Massachusetts he secured large quantities of powder, cannon,

and other munitions of war for the Confederacy. Manufacturers were not only willing but anxious to deal with him. No qualms of patriotism troubled them when it came to trading, for they had full knowledge of his mission. They received him as a guest in their homes and arranged secret ciphers by which he could communicate with them by telegraph. In addition to the large amount of war supplies that he purchased outright he contracted for machinery for rifling cannon, and the contractors agreed to send to the South the skilled workmen necessary to put the machines into operation. The manufacturers, eager for the big profits, rushed work on the orders that the material might be delivered before the outbreak of the war. Semmes was commissioned also to purchase in New York, or elsewhere, sea-going steamers designed for the defense of the Confederate seaboard. The only reason that he did not buy several was that he could not find vessels that came up to the requirements. Ship owners were willing to sell to him, just as were the makers of war supplies.

Semmes was not the only naval officer of rank to resign from the United States service and enter the Confederacy, and when the war began the Confederate chieftains were embarrassed by having many naval officers ready for commissions, but no vessels for them to command. Not one vessel of the United States Navy was taken over to the Confederacy, and the war opened with the North able to blockade all the ports of the South and still leave enough war vessels to patrol the sea. The merchants of the North were in little danger of interference with their vessels and the great fleets of clipper ships, whalers, and general cargo carriers went on their way as if war had not been declared.

The war cloud was now assuming darker and more portentous hues, and it soon became evident that Semmes' usefulness in the North was about to end. Manufacturers were becoming more shy of making engagements with him, and the Federal Government was beginning to be more watchful. The New York and Savannah steamers were still running, carrying, curiously enough, the Federal flag at the peak, and the Confederate flag at the fore; and in the latter days of March, Semmes em-



ADMIRAL, RAPHAEL SEMMES, C. S. N.

From a portrait presented in 1910 to Louisiana State University
by Camp Beauregard, U. S. C. V., New Orleans

barked on board one of them, arriving in Montgomery on the 4th of April, just eight days before the first shot was fired upon Fort Sumter.

Semmes was the first man to command a Confederate ship of war. Thoroughly familiar with the disparity of the naval resources of the warring sections, he urged upon Secretary Mallory the most active war upon the enemy's commerce, both by regular cruisers and volunteer privateers. Just after the surrender of Sumter, he received orders to fit out a vessel for that service. He proceeded to New Orleans and bought the 500-ton steamer *Habana*, of the New Orleans-Cuba Line. The name was changed to the *Sumter* and a small battery was rigged up aboard her. It took Semmes several months to get the *Sumter* equipped, and then he had great difficulty in running the blockade at the mouth of the Mississippi. But, once free of the blockading squadron, he became a terror of the sea, and blazed his trail with fire. His instructions from Secretary Mallory were "to do the enemy's commerce the greatest injury in the shortest time." On June 30, 1861, he started for the West Indies, and on July 3, captured and burned the bark *Golden Rocket* off the Isle of Pines. Within the next few days he captured seven more merchant vessels of the United States. Some he burned, and, on some of them, he put prize crews. His greatest difficulty was to obtain coal. The *Sumter* carried only enough fuel to supply her for ten days. She was a slow vessel, and, when she had to depend on sails, was unable to lift the propeller, which materially impeded the speed of the craft. Semmes did not dare to remain in any one port for long, for he knew that if a United States warship should catch him the *Sumter* would be sunk. Wherever he went he was sure to meet trouble with the authorities of foreign ports. Realizing that he was classed by the Federal government as a pirate he endeavored to obtain recognition of the *Sumter* as a ship of war of the Confederacy, but though he carried a commission from the President of the Confederate States, foreign governments were loath to harbor his craft.

The *Sumter* was therefore a sort of Ishmaelite of the sea. The damage he had done since leaving New Orleans was fast driving the enemy's commerce from the ocean, or forcing the

transfer of American bottoms to neutrals. Putting into Ciempuegos, he secured 100 tons of coal, and then sailed to Curacao, where he had more trouble increasing his supply. From Curacao he ranged along the north coast of South America, capturing two New England vessels, and going as far south as Morahan, Brazil. From there he proceeded to Martinique. While he was coaling at St. Pierre the United States steamship *Iroquois* arrived and blockaded him, but he slipped out of the harbor at night and started across the Atlantic toward Spain. On the way he captured three more prizes. At Cadiz he had to lay up for repairs, and before these were completed he was ordered to leave the port. He started for Gibraltar, burned two American vessels that he captured en route, and while in Gibraltar he was blockaded by the *Kearsarge*, the *Tuscarora*, and the *Ino*. With no chance of escape he laid the *Sumter* up, paid off the crew, and proceeded to London to consult with the agents of the Confederacy in that city.

The *Sumter* had been at sea less than seven months and had during that time captured the *Golden Rocket*, *Cuba*, *Machias*, *Ben Dunning*, *Albert Adams*, *Naiad*, *Louisa Kilham*, *West Wind*, *Abby Bradford*, *Joseph Maxwell*, *Joseph Parke*, *D. Trowbridge*, *Montmorency*, *Arcade*, *Vigilant*, *Eben Lodge*, *Neapolitan*, and *Investigator*. Most of these vessels Semmes burned, and the alarm he spread was so great that hundreds if not thousands, of merchant-vessels were laid up, or transferred to foreign owners. A fleet of warships searched the seas for the *Sumter*, but failed to capture her.

When Semmes arrived in England the Messrs. Laird, of Birkenhead, were building for the Confederate government a vessel designed especially for commerce destroying. The utmost efforts were made by the representatives of the United States to get the British government to prevent this ship from being turned over to the Confederates, but their arguments were of no avail. The name came from the fact that the vessel was the two hundred and ninetieth built by the firm.

It was intended that Captain Bullock, the Confederate naval agent in Europe, should command the new vessel, which was named "290," and Semmes, after conferring with him, sailed

on a passenger steamer for Nassau. There he received orders to return to England and assume command of the *290*, his success with the *Sumter* leading the Confederate leaders to believe he could do more execution with the vessel than any other man.

It was by a ruse that the *290* got to sea. It was pretended that she was going on a trial trip, and a lot of women were invited aboard. When the *290* was well off land the women were put on a tug and sent back. The *290* proceeded to the Azores, where a supply ship was awaiting her with armament and stores. There Semmes unfurled the Confederate flag on her, christened the boat the *Alabama*, and put her in commission. The officers were Southerners, but the crew was made up almost entirely of sailors picked up in the streets of Liverpool. Never did the *Alabama* have more than half a dozen Americans aboard her, exclusive of the officers.

The exploits of the *Alabama* were so numerous and startling—so resultful in destruction of the enemy's property, warlike and domestic—as to make a unique chapter in the history of naval warfare. Bold to the verge of recklessness, elusive as a haunting war-wraith, and too swift and well handled for capture, the *Alabama* was here to-day, there to-morrow, and nowhere the day after, her trail marked only by dismantled or smoking wrecks, while her deeds filling the news columns with head lines. She became truly the "Flying Dutchman" of real war, with the reversal that, while she was seldom seen, she was always felt. She held the terrors on the sea that the "Black Horse" (of which there was never but one single troop) did on land; and the cry from a peaceful top, "The *Alabama*!" made the same panic that "We are flanked!" often did in mid charge of the Rebs.

The *Alabama's* actual destructiveness to the commerce of the enemy was, therefore, out of all proportion to her force, the actual number of her captures, or their money-value. Fifty-seven vessels of all sorts were burned, the value as estimated by the Geneva Award being but \$6,750,000. A large number were, however, released on ransom-bond, having neutral cargos on board, and hundreds of neutrals were brought to and examined. In the meantime the *Alabama* sailed seventy-five thousand miles, or thrice the distance round the globe. Beginning her work in the

North Atlantic, she shifted rapidly from place to place as the terror of her presence did its work—to the West Indies, the Gulf of Mexico, back again to the West Indies, Brazil, Cape of Good Hope, China Seas, Strait of Malacca, Ceylon, Arabian Gulf, Strait of Madagascar, Cape Town, St. Helena, the English Channel—this was her itinerary. For two years she preyed upon her enemy, and set pursuers at defiance, accomplishing to the letter the mission upon which she was sent.

The blow that was fatal to the *Alabama* was struck by the *Kearsarge*. She went down by the stern. A few minutes before she sank Semmes hurled his sword into the sea and jumped in himself. He was picked up by the people on the *Deerhound*, an English vessel. Of the officers and crew of the *Alabama*, nineteen were killed in action or drowned and twenty-one were wounded. In addition to Captain Semmes, the *Deerhound* picked up forty-one men. The rest were picked up by the *Kearsarge* and a French pilot boat. The battle between the *Alabama* and the *Kearsarge* was a gallant fight between nearly equal ships at close quarters. It left the loser with "all lost, save honor."

European partisans of the South could paint the career of the *Alabama* in the most glowing colors. Captain Semmes was the "gallant," "noble," "chivalrous," "heroic" commander, and officers and crew shared in the honors heaped upon him. But there were not wanting, either in Great Britain or in France, those who were disposed to echo the cry of "pirate!" which went up from the press of New York and Boston. The claim was made that the *Alabama* waged warfare exclusively upon defenceless merchantmen, and therefore was not entitled to be considered as a vessel of war. Her defenders could only point to a solitary thirteen-minute fight with the *Hatteras*. A Scotch paper called attention to the fact that although Captain Semmes had "destroyed property to the value of between £3,000,000 and £4,000,000, he had never once attacked or come in the way of a vessel of his own calibre, except under false colors, and with a lie in the mouth of his officials. There is no doubt that the Confederate captain chafed under criticisms of this character. On the other hand American shipping had been all but driven from the ocean, and if the *Alabama* was to refrain from battles

with armed vessels her usefulness, except as a mere patrol, was at an end.

Notwithstanding the loss of his ship, Captain Semmes was treated in England as a conquering hero. He was petted and fêted by the London clubs, and the Junior United Service Club presented him with a magnificent sword, artistically engraved with naval and Confederate symbols, to take the place of the sword which he had cast into the sea. Reports flew broadcast that he would very soon be in command of a larger and more powerful "Alabama." English youths and school boys wrote to him by the score, imploring permission to serve under him in his new ship.

But the Confederate Government took a different view of the matter. Moreover, Captain Semmes' health had been impaired by his three years of arduous service. Although at this time the Confederates had strong hopes of getting to sea one or more iron clads, Semmes was not named for the command and received instructions to return to the Southern States. Not caring to take the chances of running the blockade, which had by this time become well nigh impenetrable, Captain Semmes took passage for Havana and thence to the mouth of the Rio Grande, from which point he made his way overland through Texas and Louisiana, and arrived in Richmond in January, 1865. Here, in consideration of his services to the Confederate cause, he was raised to the rank of rear admiral and ordered to take command of the James river fleet.

When General Lee evacuated Richmond, Admiral Semmes set fire to his fleet, seized a railroad train, and transferred his command to Danville. His forces became a part of the army of General Joseph E. Johnson and were surrendered to General Sherman.

After disbanding his men, Admiral Semmes went to his Mobile home and opened an office for the practice of law. There, on December 15th, 1865, he was arrested by a squad of United States Marines in pursuance of an order of Secretary Welles, and was imprisoned, first in the navy yard and then in the marine corps barracks at Washington. His seizure was in obedience to the Northern cry for the visitation of the death punishment

upon "the pirate," and the pretext was, as stated by Mr. Speed, attorney general of the United States, his liability to trial as a traitor, which he had evaded by his escape after the destruction of the *Alabama*. Finally Semmes, who was true to his State, was pardoned by a proclamation of Andrew Johnson.

In May, 1866, Semmes was elected judge of the Probate Court of Mobile County, Alabama, but an order from President Johnson forbade him to exercise the functions of the office. He then became the editor of a daily newspaper in Mobile, which he gave up to accept the chair of *Moral Philosophy* in the Louisiana State Seminary at Alexandria, an institution organized in 1860 by W. T. Sherman. This position he resigned after a short term because the disparity of his age in relation to the other members of the faculty was so great. One year after his resignation he read in the papers of the death of Colonel D. F. Boyd, president of the Seminary. Semmes applied for the presidency of the school, giving his reasons for resigning. But the account of Colonel Boyd's death proved to be a false report. One of the professors by the name of J. M. Boyd, Professor of Natural Philosophy, had died and the papers had confused the names.

For a short time subsequently Semmes was engaged in journalism, but returned to Mobile and the practice of law, in which he was occupied until his death. He died at Montrose, at his "over-the-bay" residence, on August 30, 1877, at the age of sixty-eight, mourned and admired by his people. His statue now greets passersby on Mobile's busiest thoroughfare, standing near the sea he so long loved and dominated.

THE SCOT IN NEW ENGLAND AND THE MARITIME PROVINCES

PART VII

VIEWING the work of Sir William Alexander, and the founding of Nova Scotia as the first, the second associated effort among Scotsmen in the New World worthy of record, and the first in the territory now comprising the New England States, and indeed the United States, was the founding of the Scots' Charitable Society in the town of Boston, Massachusetts, in the year 1657.

The story of its founding has a dramatic interest if we go beneath the glamor of the picturesque which the years have given to it. We will find that tragedy was the moving influence in its organization.

It is a story that has all the strong, deep human emotions, aroused by the terrible ravages of war, yet the roar of Dunbar never broke the peacefulness of the little town on the shores of Massachusetts Bay.

On the 3d of September 1650 and 1651, respectively, occurred the battles of Dunbar and Worcester, an outstanding epoch in Scottish history, the culmination of a long, bitter, religious and political controversy. Arrayed against each other on these fields were Oliver Cromwell and General David Leslie at the head of the Scottish Covenanters whose battle cry was "The Covenant!"

The fight had been fought and the cause lost, and here came the remnants of the defeated army, many of them transported as prisoners of war. They came, but with what sacrifice, what suffering, and with what heart yearnings! Monuments of stone and anniversary celebrations fail to tell. One must go into a by-path of history to search for their story.

The immediate cause for organizing the Society was the relief of those Scottish Covenanters who had suffered in the cause of the King at the battles of Dunbar and Worcester, many of

whom had been taken prisoners, and were sent by Cromwell as indentured servants to New England. They were the first Scots to come to New England in any large numbers, and although their labor was sold among a hard and unfeeling people, the very severity of their situation appealed to some of their fellow countrymen already settled in Boston, the outgrowth of which was the formation of a relief committee, to aid their needy fellow countrymen in their dire distress.

This committee for several years conducted its work with unselfish devotion among the poverty-stricken prisoners of war whom misfortune had cast upon their shores. Doubtless the members of this committee early became impressed with the need for founding a permanent society, for the record tells us that in January, 1657, a permanent organization was established.

The record of the first meeting of the society when twenty-seven Scots of the colony signed their names to the document, is interesting. The record follows:

“At a meating of the 6 of January 1657 we whose names are underwritten being all or the most part present did agree and conclude for the relefe of ourselves and any other for the which wee may see cause (to make a box) and every one of us to give as God shall move our hearts whose blessing and direction wee doe from our hearts desyre to have from Him (Who is able to doe abundantly above all that wee are able to ask or think) both in the beginning and managing of that which we doe intend and therefore that we may express our intentions and become our owne Interpreters leaving those that shall come after us to doe better than wee have begun hoping that by the assistance of the great God who can bring small beginnings to greater perfection than wee for the present can think of or expect and lykewise we hope that God hath the hearts of all men in His hands and can turne them which way soever he pleaseth will double our spirit upon them and make them more zealous for his glory and the mutuall good one of another, and therefore knowing our own weakness to express our selves in this particular we leave ourselves and it both to God and to the word of His grace and doe desyre to declare our Intentions about which we have agreed.

That is to say that wee whose names are Inserted in this booke doe and will by Gods assistance give as God will move us and as our ability will bear at our first entering but it is agreed that none give less at their entering than twelve pence and then quarterly to pay six pence and that this our benevolence is for the releefe of ourselves being Scottish men or for any of the Scottish nation whome wee may see cause to help (not excluding the prudentiall care of the respective prudentiall townsmen whose God shall cast any of us or them, but rather as an addition thereunto) and it is agreed that there shall nothing be taken out of the box for the first sevin years for the releefe of any (the box being as yet in its minority) and further it is agreed that there shall be one Chosen one of good report fearing God hating covetousness, quarterly to receive the dutyes of the said box and lykewise what Legacies made be left unto it and that the first box Maister shall give up all the revenue belonging unto the said box unto the next that is chosen and so continue quarterly until the Company may see any Inconvenience in it or cause to alter it and it is agreed that our children shall have the same liberty with ourselves they entering (when they are growne up) orderly and it further agreed that those who doth willingly neglect to pay their dutyes and have entered for the space of a twelve month together shall have no benefite here after by the said box.

Robert Porteous,
George Thomson,
Thomas Dewer,
John Kneeland,
James Webster,
Andrew Jameson,
William Speed,
Thomas Shearer,
John Bennett,
William Cosser,
James Moore,
John Clark,
Thomas Palson,
William Gibson,

William Ballantyne,
James Ingles,
George Trumbull,
James Adams,
Malcome Mackcallome,
Alexander Simson,
James Grant,
Peter Grant,
William Anderson,
Alexander Grant,
John Macdonald,
Alexander Bogle,
John Mason."

Four years thereafter the record of the box master, Wm. Cosser, showed that there was the "full and just sum of seven pounds, eleven shillings and ten pence sterling in Ready money." To-day the Endowment fund of the Society approximates \$70,000, from which it derives a portion of the income devoted to the charitable work.

As it is a people that produces a civilization, and not a civilization a people, so the story of the Scots Charitable Society may in large measure be told by a glance at the men of its membership. It has been a representative body, numbering in its membership citizens of all the New England States and of other states.

To write of the achievements and influence of the individual members of this Society, would be in large measure to repeat the story of the Commercial, Industrial and Political development of Boston and Massachusetts. In the Honor Roll of the Society during its two and one-half centuries of active benevolence are many names familiar and honored in City and Commonwealth. It would be impossible within the scope of a magazine page to enumerate them all, and give a just estimate of their relation to the life of their respective generations, hence we will have to content ourselves with only a few conspicuous examples.

A roll of more honorable names, of men who have given unselfish service in their day and generation to help civilization onward, it would be difficult to find. It has embraced Merchant Princes, Industrial Leaders and men eminent in the service of City, State and Nation. The great professions of Law, Medicine, the Church and Education have had many notable leaders, who were never too deeply absorbed with professional duties, but, a little time could be found to respond to the demands of their membership in the Society.

The Society has never sought to attain great numerical proportion, but has rather been a representative body, members of the leading Scottish Families in New England considering it a great honor to have one of their number enrolled. In fact, for many years the membership was limited to one hundred. While the Society is an organized charity, it has been largely

a clearing house through which great-hearted Scotsmen could individually aid and succor their less fortunate fellow countrymen. Through long years many individual members have given in a private way annually many times the yearly expenditures of the organization.

A HOME FOR NEW ARRIVALS

For many years the Society maintained a Home for housing new arrivals to the country. The building was located on Camden Street, Boston, and during the period of its activity was one of the prominent features of the Society's work. Early in the nineties, however, the thrift of the immigrants from Scotland became so pronounced that the need for a permanent home became obsolete, and it was abandoned.

A FORMIDABLE LIST

The names of all the great Scottish families represented in New England have from time to time appeared in the record of membership, such as Grant, MacDonald, McDougal, Kennedy, Ballantine, Webster, Livingstone, Guild, McClintock, Ramsey, Campbell, Brice, Matchwell, Stuart, Ferguson, Cochrane, Melvin, Logan, Innes, Kay, Borland, McGregor, Murray, Graham, McKenzie, Peter McKenzie, son of the Earl of Cromarty, Abocrambie, Archibald, Gordon, Cunningham, Arbuckle, Morrison, Erskine, Calder, Gibbs, Cathcart, Dalrymple, Moffat, Armstrong, Bethune, Barelay, Munn, Sinclair, Alexander, Anderson, Jeffrey, Andrew, Dundas, Forbes, Lindsay, Muirhead, Scott, Watson, Stevenson, Drummond, Henderson, Nisbet, Buchanan, Hamilton, Carlyle, Gray, Fullerton, Loudon, Ingram, Stewart, Duncan, Kinloch, Gilchrist, Crawford, Montgomery, Donaldson, Cameron, Chisholm, McIntyre, Murdoch, Dunn, Fraser, Kilpatrick, McCulloch, Rankin, McFarland, Pollock, Dunbar, Muncriefe, Jaffray, Martin, Kerr, Russell, Cairns, Marshall, Johnston, Balfour, Hay, Sterling, McKay.

We learn from the Records that in May, 1770, the financial condition of the Society was "of a considerable value and in

a flourishing state," and that it was voted and agreed that for the better management thereof, the following rules and orders be observed: "Some Gentlemen, Merchants and others of the Scots' nation residing in Boston, New England, from a compassionate concern and affection of their indigent Countrymen in these parts, voluntarily formed themselves into a charitable society, and Anno Domini 1657 * * * * *

and that this Society has ever since, without interruption, been continued and promoted, to the Compassionate and Seasonable Relief of many, notwithstanding the late more intimate Union of North and South Britain, continuing to follow the laudable Example of the London Society, we conceive it not inconsistent or improper to continue this our Private Charity, to our quondam Townsmen and Neighbors, without any desire or expectation of being excused from contributing towards the public provision for the Town poor in general. The stock being at present of a very Considerable Value and in a flourishing State, it is voted and agreed by the Society, this 8th day of May, 1770, that for the better management thereof, the following rules and orders being observed:

1. This charity is appropriated towards the Relief of the Poor Aged or Infirm, helpless Widows & Orphans, indigent Sick, the distress'd Shipwreck'd, & to pay the Charges of those who are desirous, but not able to Transport themselves to their native Country. This is to be understood with a more particular Regard to Contributors, who by Misfortunes may become Objects of Charity.

2. Vagrants, idle, & dissolute Persons, of notorious evil fame, are excepted or excluded as unworthy of this Charity. Persons from other Colonies or Countries who are reduced in those other Countries, having suffered no Misfortune in their Passage hither, are not to be deemed objects of this Charity. All Scot's men or of Scot's Extraction in Boston being capable & regularly invited to join in this Charitable Undertaking; as also all Members discontinuing their Contributions four Quarters successively, being regularly warned to attend & pay their Arrears: who shall obstinately refuse to comply shall forever be excluded from any claim in this charity.

3. All Motions for Relief or Charity shall be by Petition in writing the Allegation thereof to be in the Knowledge of two or more of the Members; & to be given to the Managers three days before the quarterly meeting, for any Sum exceeding Ten pounds New England lawful Money, for relief in Shipwreck, Sickness, & passage home, A Bond or Note shall be taken payable when Able. The Managers upon Emergencies in the Intervals of the Quarterly Meetings may give Charities not exceeding forty shillings to one Person and the Treasurer for a present Relief may give not exceeding Ten shillings to one Person, before any person he admitted to the Charity of a quarterly meeting the managers at their monthly Meetings, & the majority of the voters at the quarterly meeting shall be fully satisfied that he or she is a real object of Charity and otherwise entitled.

4. The principal stock of the Society shall not be diminished—that is the Money now in stock, & what shall in Time coming be given at the quarterly meetings, or upon any other occasions, either by constant members, or casual benefactors, shall be punctually put to interest, & the interest arising from that money only shall be distributed to the proper objects of Charity.

5. To prevent disturbance in the Admission of new members Residenters: he or they desiring to be admitted shall first apply to the Managers at their monthly meeting & obtain their consent which consent shall be notified to the Society at their quarterly meeting to be approved or rejected by a majority of the Voters. Every Member at his admission shall pay ten shillings at least. Persons who shall be deem'd by the Managers as objects of charity shall be excused from contributing without losing their Title to this charity.

6. The gifts and benefactions of Gentlemen of any other country shall be thankfully received & acknowledged. Some persons of other country shall be thankfully received & acknowledged. Some persons of other nations having generously contributed to the Scot's charity in London.

7. The Managers of this Charity shall be a President a Vice President, a Treasurer, four Assistants, & four Key-Keepers, with a Servitor to attend the service of the Society. The Managers to be natives of Scotland, or natives of any other part

of Great Britain & New England, of Scot's progeny being inhabitants of Boston.

8. There shall be in Boston at such places as the Managers, shall appoint, an Anniversary Meeting on the second Tuesday of May for the election of Managers of the following year, & for inspections of the former Years managment; as also three more quarterly meetings on the Second Tuesday of August, November, & February, for the Collecting & disposing of charities & for making such prudential Orders from time to time as may be expedient. No affair of consequence shall be offered abruptly to vote, it is previously to be under the deliberation of the Managers in some private meeting by themselves. At all meetings when constituted, the President being in the Chair, the Rules are to be read before any business is entered upon; none but contributors to have a vote; Every affair or question shall be determined by a majority of the then present voters; excepting in abrogating any of these rules, or in affairs of any sum of money exceeding ten pounds to one person, in these cases two-thirds of the voters shall agree thereto. At the quarterly meeting immediately preceding the anniversary there shall be chosen a Committee to inspect the transactions of the Managers of that Year, & to examine the Treasurer's accounts and make report thereof at the next anniversary meeting, that the true state of the stock may be apparent every year.

9. The Treasurer at his receiving the Society's stock, writings, &c shall become bound with sufficient sureties in double value of the stock, to the President, Vice President, & one other of the managers, to render a just & true account & to re-deliver the stock, writings, &c with what other Donations and Improvements may happen in his time, to the next Treasurer, or to the Order of the Society. The Treasurer, who is also Secretary to the Society is to keep a fair Journal of all entries, quarterages, donations and improvements, votes & other affairs of the Society; for his service to be allowed One p. cent. At any time when there shall be more Money in the box than may be sufficient for the present exigencies, the Treasurer with the consent of the Managers shall let it out at interest to some substantial person or persons with two sufficient sureties payable

to the President, Vice President & Treasurer or any of them. Upon the decease of Obligers or Obligees, the principal shall be immediately called in, or the bond renewed. If interest on any bond is unpaid two months after it is due, the Bond is to be put in suit. As several inconveniences may happen by Members of the Society being borrowers or sureties; no member is to be admitted as borrower or surety.

10. The key-keepers are to attend Gentlemen & others, Scots, or of Scots Extraction, residing in Boston or transients to acquaint them with the charitable Design of this Society & to invite them to contribute by the formality of delivering to them a Silver Key. If any person being frequently invited do obstinately refuse, they are to return their names to some subsequent quarterly meeting.

May this Society subsist so long as Charity shall be a virtue."

During the agitation and political excitement which brought on the war for Independence, the work of the Society was somewhat interrupted, but never entirely suspended. A portion of the members were loyal to the Crown, and suffered great loss by having much of their property confiscated, and in consequence they were compelled to join the great body of Loyalists who sought new homes in Shelburne, Nova Scotia, St. John, New Brunswick, and other parts of the Canadian Provinces. By reason of this, the common tradition of the Scottish people of Massachusetts and New England has been, that, during the troubles of the Revolution many of the record books and documents, as well as the funds of the Society were lost. Such is not the case, and never was true. The records of the Society extending over two and a half centuries, are to-day complete, in possession of the Society, and in a most excellent state of preservation.

LITTLE WARS OF THE REPUBLIC

BY JOHN R. MEADER

PART V.—THE AMERICAN FILIBUSTERS

THE difference between a hero and a filibuster is practically the same distinction which exists between success and failure. Cortez in his conquest of Mexico made himself a hero. By his success he turned an illegitimate enterprise into an immortal achievement, and history has assigned to him a place upon one of its highest pedestals, among the rest of the world's great adventurers. Although little better than a filibuster, his victories as a warrior were sufficiently conspicuous to cleanse his reputation from all blame before the tribunal of public opinion, whereas if, like Walker or Lopez, he had paid for his deeds of daring with his life, it is not improbable that the popular verdict would have been reversed. Like all invaders, both Cortez and Walker sought for fame and fortune at the point of the bayonet in strange lands. Where one was successful the other failed. Where one is now honored and accredited with virtuous motives, the other is held to be little better than an executed felon.

Although the capital prize in fame's lottery has always been elusive there has been no lack of adventurers bold enough to dream of obtaining possession of it. Since the days of the Norsemen, history has recorded the deeds of many a daring adventurer who has gone forth to conquer or to die, and while the vast majority were able to procure no better reward than that of failure and death, the fortunes of war continued to present such alluring prospects that men gave little thought to the possibility of failure. They knew that they were tempting fate and they went to their death just as they would have marched to victory—with a smile on their faces.

The story of filibusterism in America opens with the beginning of the nineteenth century, when Don Francisco Miranda, a Venezuelan and a soldier of fortune who had fought under the Directory and in several European campaigns, conceived the idea of freeing his native land by inciting its citizens to rebellion. It was on February 2, 1805, that the Miranda expedition sailed from New York for Venezuela, but, although assisted as far as possible by the British and assured, at least, of the sympathy of the United States, the project came to a sorry ending before a shot had been fired. All its members who were captured were either executed or sentenced to lengthy terms of imprisonment, and the fact that Miranda himself escaped to return to Venezuela, where he participated in a more successful revolutionary movement, to die at last a prisoner in a Cadiz dungeon, are merely incidents in the life of an individual adventurer. His career as a filibuster ended with his first expedition, an expedition which, in its ignominious failure presaged the ending of all such adventurous efforts that were to follow, for there was but one of the American filibusters who did not lead his little army to suffering and death. The single exception was General Houston, whose victory over Santa Ana not only assured the independence of Texas but also avenged both the butchery of Mina and the horrors of the Alamo massacre.

It was not until after the Mexican war that the projects of the filibusters again began to be of interest to the people of the United States. The arrest of Narciso Lopez and his entire expedition, by the order of President Taylor, just as it was on the eve of its departure for Cuba, called attention to the vast fields for conquest that presented themselves in the southern continent. Illegitimate as such enterprises were in view of the law of nations, the prospects which Lopez painted appealed strongly to those whose love of adventure had been awakened by the Mexican campaigns, and his call for more recruits speedily resulted in the organization of as brave a band of hardy soldiery as ever assembled beneath the banner of a filibuster. Being successful in eluding the vigilance of the United States marshal, Lopez landed his force of 600 men at Cardenas, on May 19, 1850, but, although the town was quickly captured, the refusal of the na-

tives to be liberated turned victory into practical defeat. Realizing the gravity of the situation, therefore, Lopez quickly evacuated the town and returned to New Orleans. Still unwilling to believe that the apathy of the people of Cardenas represented the sentiment of the Cuban populace, Lopez prepared for another expedition, and, on August 3, 1851, he sailed once more for Cuba at the head of a force of more than five hundred men. Landing at Bahia Honda, on August 11, he left about a third of his command at that point under the direction of Colonel William S. Crittenden of Kentucky, in order that they might protect the landing of the reenforcements that were to arrive within a few days, while he pushed forward to appeal to the people to rise and follow him to freedom. Again, however, he had misjudged the sentiments of the natives, for while they had assured him that they would rally to his support, they not only failed to keep these promises but many even went so far as to add their strength to that of the enemy. On August 28, he was compelled to surrender. Colonel Crittenden had already been captured, while attempting to escape to New Orleans, and with nearly all his command was executed. Lopez, with the fifty or more followers who remained, were taken to Havana, where they were shot on September 1, Lopez alone being put to the indignity of death by the garrote.

The treasure hoard of Northern Mexico was the ignis fatuus for which so many brave Californians imperilled their lives during the early 50's. Prominent among these adventurous spirits were the French immigrants, men from every social rank, from the impoverished nobleman to the fugitive felon. Attracted to the New World by the promise of the vast wealth to be obtained by a minimum amount of manual exertion, their expulsion from their claims had left them practically without an avenue of occupation, and, to their ears, therefore, the tales of unmeasured riches awaiting them in Sonora came with all the promises of renewed hope. In California they were friendless and hopeless, because they were powerless to help themselves; in Mexico there was nothing to prevent them from obtaining dominion over those treasure lands of which such wonders had been told—the basin of the Gila, whose sands were rich in grains of gold; the rocks and ledges from which the yellow nuggets

peeped forth enticingly; the western slope of the Sierra Nevada where mines of silver wealth, already opened in waiting for the coming of the fortunate miner, were guarded by bands of Apache Indians. It was a glorious picture of wealth and happiness which their imagination painted and they were eager for the moment when they might be able to set forth to test their fortunes in this new field.

One of the most sanguine members of the French colony in San Francisco was Count Gaston de Raousset Boulbon, a native of Provence, whose thirty-five years had been one long series of adventures. Journalist, member of the Assembly, founder of a colony in Algiers, he had at last set sail for California, only to find every opportunity for enrichment closed to him. Penniless, but not discouraged, he accepted the first means of livelihood that offered itself, and as a day laborer managed to keep body and soul together. In the midst of the most arduous toil, however, his mind was busy with his plans to obtain a foothold in Sonora, and, in the latter part of 1851, he persuaded his friend, M. Dillon, the French consul at San Francisco, to give him a letter of introduction to President Arista, of Mexico. Supplied with funds by the friends who were to participate in the fruits of his adventure, Gaston started upon his journey, and he was so successful that, when he returned, he brought a contract under which he agreed to take one hundred and fifty armed Frenchmen to Guaymas to protect and work the mines of Arizona. The plans of the company had been submitted to the President and had not only met with his approval but he had persuaded the banking house of Jerker, Toore & Co. to advance a large portion of the funds required to successfully engineer such an undertaking.

Fortified with this evidence of Government favor Raousset found so little difficulty in securing followers that it was two hundred and sixty men—instead of one hundred and fifty—and the pick of the French colony, who landed with him at Guaymas on June 10, 1852. Although received with open arms by the populace, it was not long before he discovered that some powerful influence was at work against him, that some strong effort was being made to prevent him from carrying his plans

into effect. That he was the victim of intrigue he had no doubt, and yet he never suspected that the source of this opposition was the President himself, he having made a contract with an English company in which he had agreed to let them have the same mines which he had already set apart for the French colonists. As General Blanco, Governor of Sonora, was not only a party to this secret, but was interested financially in the success of the British corporation, he not only failed to permit the conditions of the Government's contract to be fulfilled, but also placed so many obstacles in the way of Raousset and his followers that they finally announced their determination to fight rather than submit to such humiliating treatment any longer.

Of course, in taking this stand the French colonists had played directly into the hands of their enemy, for by this act the peaceful settler had declared himself the filibuster. Delighted with the turn of affairs, therefore, General Blanco massed his forces at Hermosillo, and, on the morning of October 14, they were attacked by the small army of colonists, who fought so like madmen, the Governor and his twelve hundred soldiers were quickly driven from the town.

Assured that his followers were men of courage, Raousset was preparing to follow this victory with other operations which would tend to strengthen his position, when he was suddenly seized with a serious attack of illness. While his men had fought bravely and had obeyed his commands without hesitation, not one of them knew anything of the art of warfare. His was the genius that had led them to victory, and, deprived of his advice, they were like so many blind men turned loose without a guide. In their opinion, therefore, the only safe course open to them was to retreat, so they quickly turned back to Guaymas, carrying their unconscious leader in a litter, and, before he had recovered sufficiently to protest against such proceedings, they had made a treaty with the Governor by which they promised to leave Mexico upon the receipt of forty thousand dollars.

As Raousset had not been a party to this agreement he determined upon his recovery that he would return to Sonora

and in some way gain possession of the territory of which he had been so unjustly deprived. Returning to California, therefore, he impatiently waited for his opportunity. Men there were, and plenty of them, who would be glad to follow such a leader, but the money for the expedition was not forthcoming. Suddenly, however, the chance presented itself. In January, 1853, Arista was deposed by Ceballos; the latter by Lombardini, in February, and Lombardini himself by Santa Ana, in April. Two months later Raousset was called to Mexico to confer with the new President, but while the latter had plans in which Raousset could have aided him materially, their negotiations ended in a quarrel, during which the Frenchman hinted very broadly that he was of the opinion that all Mexicans were liars. Compelled to hasten back to California to save himself from the vengeance of the wily butcher of the Alamo there seemed to be little reason why he should not have been disheartened at the prospects.

During his absence, however, affairs had taken a different turn. Another filibuster, in the person of William Walker, had recognized the advantages to be gained by the seizure of Sonora, and a party under his command had departed from San Francisco upon that mission just before Raousset's arrival. He had scarcely reached the city, therefore, when he was called upon by Del Valle, the Mexican counsel, who informed him that Santa Ana, now thoroughly alarmed at the proceedings, desired him to return immediately with three thousand French immigrants, all men, who might be depended upon to defend the property which he would give them in Sonora.

Delighted with such an order, for he thought that he saw in it the realization of all his hopes, Raousset set about his task with so much energy that within a few days he had enlisted more than eight hundred men for the enterprise. As the scheme was purely one of colonization none of its projectors anticipated the slightest opposition, but in this opinion they were doomed to disappointment. Walker's expedition had been financed with funds furnished for that purpose by one of the powerful factions in American politics—the party composed of those who desired the annexation of Mexico that it might be

used for the extension of slave territory—and its leaders realized that the presence of so many armed Frenchmen in Sonora would be fatal to their prospects. By intrigue, therefore, if not by actual false representation, the friends of Walker succeeded in persuading the federal authorities to arrest both Del Valle and the French consul, M. Dillon, and to seize the “Challenge,” the boat which they had purchased, on the ground that the entire scheme was in violation of the neutrality laws of the United States. That the two consuls would be exonerated there was little doubt; that their boat would be released was scarcely a matter of question, but the requisite legal proceedings took time, and when the “Challenge” was finally permitted to sail, on April 20, she took with her a nondescript company of about three hundred men. The delay, moreover, had been a misfortune for Raousset in more ways than one. It had resulted in the practical disbandment of his expedition, but it had also given Santa Ana time to recover his fright. Seeing that the much-dreaded Walker had been safely disposed of, he began to believe that it might be possible for him to hold his own against any such army of filibusters as might come to take possession of his territory in the future, so, instead of threatening to make trouble because of the arrest of his consul, he felt more like expressing his gratitude to the United States authorities for having saved him from the three thousand Frenchmen.

To Raousset this unexpected culmination of circumstances represented the end of a tragedy. He knew that he was not wanted in Mexico, that it would be fatal for him to go to Sonora, and yet he had given his promise to the “Challenge” party that he would follow them and would lead them to victory. Realizing that it would probably be impossible for him to keep the latter part of his agreement, he was at the same time determined that the failure should not be charged to any lack of effort on his part, so, bidding farewell to his friends secretly, and stealing out of San Francisco under cover of the darkness—for the United States marshal held a warrant for his arrest—Raousset started for Guaymas, where his friends were waiting for him.

Intending to enter the city without the knowledge of the au-

thorities, Gaston found that his coming was anticipated but as he was met politely and was even received with considerable distinction, he began to hope that his fears had been groundless. Within a day or two, however, it became apparent that this politeness had been assumed merely for the purpose of blinding the Frenchmen to the true condition of affairs, for while the latter were waiting patiently for the Mexican officials to award them the land which had been promised to them the Governor had sent for reenforcements with the aid of which he proposed to exterminate the little band of unwelcome colonists.

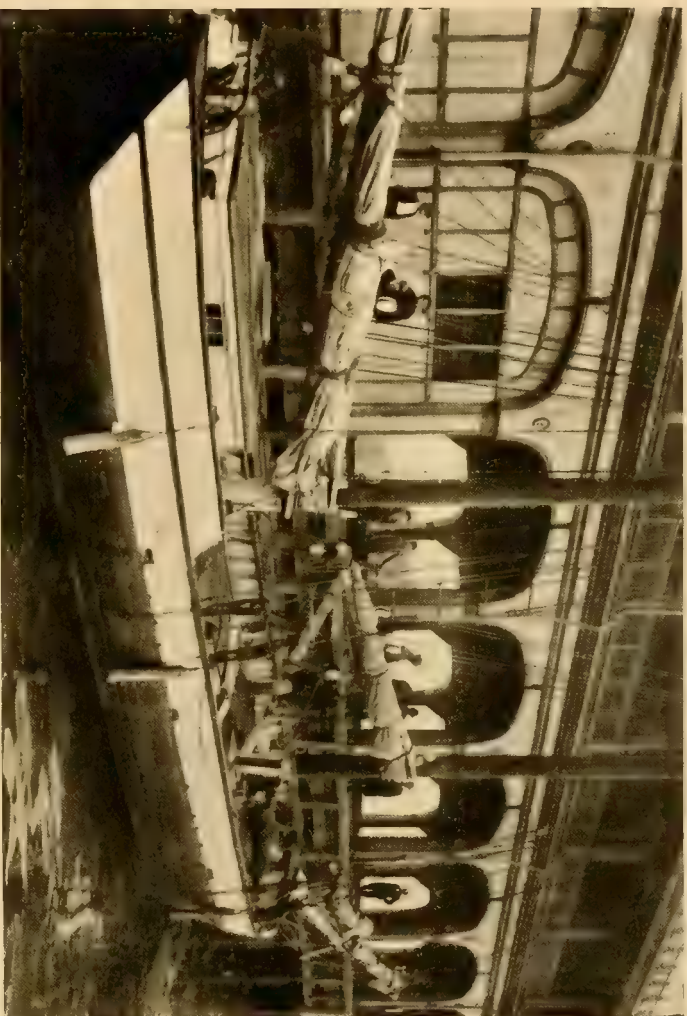
Warned, at last, of the nature of the Mexican plot, the Frenchmen realized that their only hope depended upon their ability to defeat the Government troops before the arrival of the new force of eighteen thousand men which was said to be on its way to Sonora. With absolute fearlessness, therefore, Raousset joined his companions in their attack upon the well-fortified barracks, and it was only when more than one-third of the colonists had fallen that they could be persuaded to surrender, and, even at that time, they refused to lay down their arms until they had been assured that the lives of all of them, including Raousset, would be spared. Although made under a pledge of honor and with the approval of Governor Yanes, Gaston was immediately sent to prison, and, ten days later, after a parody upon a trial, he was shot to death as a traitor and rebel. With free hands, with eyes unbandaged and with a smile on his face, he met the end, "a Cortez slain at the beginning of his enterprise."

But, in the meantime, what had become of Walker, whose expedition to Sonora had had such a fatal influence upon the affairs of Raousset? Thoroughly imbued with the belief that negro slavery was a divine institution and that it was his destiny to extend slave territory into Mexico and Central America, this bold adventurer, the most remarkable filibuster of modern times, had entered upon a carefully planned campaign of conquest. Unlike the French immigrants Walker had suffered from no lack of funds. Supported by the pro-slavery enthusiasts, who had freely subscribed to the bonds of the new republic which he was to institute in Sonora, he had found no difficulty in securing recruits, and everything was ready for the departure of the expedition when

the brig "Arrow," which they had chartered as a transport, was seized by General Hitchcock, then commander of the United States forces in California. Although acting strictly within the law, the expedition being an unquestionable violation of the neutrality laws, the procedure gave great offence. At this time nearly all the federal officials in California were slavery extensionists, and their decision that General Hitchcock's action had been without "a scintilla of evidence," met with the approval of Jefferson Davis, then secretary of war. As the result Walker was not long delayed, and, on October 16, he sailed from San Francisco with forty-six men.

It was a ridiculously small body of men, especially when one remembers that it was their intention to conquer an empire, and yet there was no hesitation on their part. Landing at La Paz, the capital of Lower California, Walker took formal possession of the town, together with the Governor and the archives. Thus fortified he called an election, at which he was elected President, and issued a decree declaring the independence of Lower California and adopting the code of Louisiana as the law of the land. As this code legalized slavery Walker was satisfied. "Our government has been formed upon a firm and sure basis," he wrote, and, absurd as it may seem, he certainly meant what he said. Two months later he annexed the neighboring province of Sonora—on paper, although at that time he had not yet set foot upon that portion of his dominion.

Small as Walker's force was in point of numbers, every man in the party was faithful to the leader, and, as the result, they accumulated a string of victories which aroused a great deal of enthusiasm among their friends at home. They told how they had taken first one town, and then another, but they did not mention the fact that they had so far been unable to hold a single one of these points and that their freedom from arrest was largely due to the circumstance that no strong Mexican force had yet caught up with them. Instead, they painted the glory of their achievements in such attractive colors that San Francisco was convulsed with the desire to go forth and aid in the work of "extending the area of freedom." So great was the enthusiasm that it was no longer necessary to work in secret. The flag of the



DECORATING A FAMOUS PRIVATEER OF 1812

The schooner "Polly" at her pier in the North River during the ceremony on November 2 which marked the placing of a bronze tablet by the members of the New York Chapter of the Daughters of 1812. The "Polly" is still engaged in coastwise trade. (See Historical Views and Reviews)

new republic was suspended in front of the door of its recruiting office; its bonds were sold openly, and its enlistment officers made so little pretense at concealment that, within a few weeks, they were able to send an additional force of more than two hundred men to help Walker in his work of conquest.

Unfortunately for the success of the expedition, however, the new recruits were not selected with the care that Walker would have exercised if he had been in charge of the enlistment. They were brave men, some of them were desperate men, and yet they were perfectly sane soldiers of fortune, not mad enthusiasts like Walker and his first party. They were willing to face dangers, but they insisted that they should see some hope of compensation for the risks they were ready to assume, so when their leader told them just how much he had accomplished and what he hoped to do in his conquest of Sonora, they did not accept the situation with any great degree of favor. Instead they held a conference, after which a number of them decided that they had had enough of filibustering and they quickly crossed the line into the United States. Surprised at this action, which he regarded as unwarranted treason, Walker pursued the deserters, and, having caught some of them, shot two, and drummed the others out of camp, after giving them a severe flogging. He then ordered a muster of his troops, and, after making a stirring appeal to them, he demanded to know how many of them could be depended upon to follow him. Of the entire force only the members of his original party and a few of the new recruits responded, so it was with less than a hundred men that he began his march towards Sonora. Other desertions occurred while they were on the march; at almost every point they were harried by small forces of Mexicans and Indians, who shot the stragglers and robbed their camps of their insufficient stores, and, at last, disease came, until the force had dwindled to less than fifty. Almost starved, and clad only in rags, the hopelessness of their effort finally dawned upon them, and they started to cut their way back to the California frontier.

It was at this time that Walker had an opportunity to exhibit his masterly generalship. With Mexicans and Indians upon their flanks and rear they recrossed the mountains. In almost every gorge they were exposed to galling fire, and it was only

by the finest strategy that the leader was able to take this remnant of his little force out of the enemy's country. At San Vincente, where he had hoped to find eighteen men whom he had left to guard his stores, not one remained. At one time the Mexicans approached them with a flag of truce, assuring them of safe passage across the border if they would deliver to them the body of their leader, but as such a proposition was treated with scorn, the troops pursued them to the boundary line, where Major McKinstry, of the United States Army, was awaiting them. It was on May 8, 1854—on Walker's thirtieth birthday—that the brave filibuster delivered his band of thirty-four hungry, ragged pedestrians into the hands of the United States Government. Gaunt and unsightly as they were they were all that was left of the "Republic of Sonora."

(To be Continued.)

HISTORY OF THE MORMON CHURCH

By BRIGHAM H. ROBERTS, Assistant Historian of the Church

CHAPTER XXXII

THE DEPARTURE OF THE SAINTS FROM MISSOURI

AT the conclusion of the examination of the prisoners before Judge King, and their departure for Liberty and Richmond respectively, the main body of the Church began preparations for the enforced exodus by spring.

It was during these trying times that Brigham Young began to exhibit those executive qualities which so pre-eminently fitted him as a great leader. By the death of David W. Patten and the apostasy of Thomas B. Marsh, the presidency of the quorum of the Twelve Apostles devolved upon him, hence also the leadership of the Church during the absence of the First Presidency, since the quorum of the Twelve Apostles stands next in order to the First Presidency, in the general presiding councils of the Church, and is of equal authority with the Council of the First Presidency.

Elder Young called together those members of the High Council of the Far West stake of Zion that still remained in Far West, and inquired of them as to their faith in the Latter-day work, first telling them that his own faith was unshaken. All the members present expressed their undying faith in the gospel, and their confidence in Joseph Smith as a prophet of God. The council was then reorganized; the vacancies caused by absence or apostasy were filled, and the council was prepared to do business. Elders John Taylor and John E. Page, both of whom had previously been chosen by revelation for the office, were ordained members of the quorum of the Twelve Apostles, on

the nineteenth day of September, under the hands of Brigham Young and Heber C. Kimball.

Elder Young's activity and zeal in caring for the poor were unbounded. A public meeting was called, not only of the Saints but also of the citizens of Caldwell county, and the poverty and distress of many of the Saints presented to them. Several gentlemen, not members of the Church, expressed themselves as being of the opinion that an appeal should be made to the citizens of upper Missouri, inviting their assistance towards furnishing means to remove the poor from Caldwell county. It is doubtful if any appeal was made, as a resolution was adopted at the meeting as follows:

“Resolved, That it is the opinion of this meeting that an exertion should be made to ascertain how much means can be obtained from individuals of the society (Church); and that it is the duty of those who have, to assist those who have not, that thereby we may, as far as possible, within and of ourselves, comply with the demands of the Executive.”

At a subsequent meeting, similar in character to the first, Elder Young offered this resolution:

*“Resolved, That we this day enter into a covenant to stand by and assist each other, to the utmost of our abilities, in removing from this state, and that we will never desert the poor who are worthy, till they shall be out of the reach of the general exterminating order of General Clark, acting for and in the name of the state.”*¹

This resolution was adopted, and a committee of seven appointed to superintend the removal of the Saints.

A committee was also appointed to draft a covenant that should bind the members of the Church in an agreement to assist each other to the extent of their available property to remove from the State of Missouri, in accordance with the orders of the Governor; this covenant was drawn up in due form and signed by the faithful brethren. Elder Young secured eighty names to this covenant the first day he circulated it and three hundred the next.

1. Documentary History of the Church. Vol. III, pp. 249, 250.

Agents were appointed to go down towards the Mississippi and make deposits of corn for the use of the Saints as they should make their way out of the state. The agents were also to make contracts for ferriage and arrange whatever else might be necessary for comfort and security of the refugees.

No sooner had these arrangements been perfected than Elder Young, whose wisdom and activity had doubtless given offense to the enemies of the Church, had to flee from Far West to escape the vengeance of the mob. He went to Illinois. In his labors Elder Young had been materially assisted by the support and counsels of Heber C. Kimball, John Taylor and the members of the various committees that had been appointed, to whom was now left the execution of the plans that had been evolved for the removal of the Church.

By the twentieth of April nearly all the Saints, variously estimated from twelve to fifteen thousand, had left the state where they had experienced so much sorrow;² and found a temporary resting place in the state of Illinois, many in the city of Quincy and vicinity, but a few settled in the then territory of Iowa.

Before leaving the state—as early as the 10th of December, in fact—the Saints memorialize the state legislature in behalf of the citizens of Caldwell county. The document is a temperate and straightforward statement of the wrongs suffered by the memorialists from their first settlement in Jackson county to the treaty forced upon them at Far West by General Lucas and Clark, and the outrages committed upon them after the surrender of their arms. It constitutes a terrible arraignment of the state and its officials, which is all the more powerful because of its moderation, which gives assurance of its truth.

After detailing the story of their wrongs, the memorial asked; first, that the legislature pass a law rescinding the exterminating order of Governor Boggs; second, an expression of the legislature disapproving the conduct of those who compelled them to sign a deed of trust at the muzzle of the musket, and of any man in consequence of that deed of trust taking their property and appropriating it to the payment of damages sustained, in con-

2. See note 1 end of chapter.

sequence of trespasses committed by others; third, that they receive payment for the six hundred and thirty-five firearms that were taken from them, which were worth twelve or fifteen thousand dollars; fourth, that an appropriation be made to reimburse them from their loss of lands from which they had been driven in Jackson county. The petition closed in these words:

In laying our case before your honorable body, we say that we are willing, and always have been, to conform to the Constitution and laws of the United States, and of this state. We ask in common with others the protection of the laws. We ask for the privileges guaranteed all free citizens of the United States and of this state to be extended to us, and that we may be permitted to settle and live where we please, and worship God according to the dictates of our own conscience without molestation. And while we ask for ourselves this privilege, we are willing all others should enjoy the same.²

Elder David H. Redfield was appointed to present this petition to the legislature; and on that mission he arrived at Jefferson City on the seventeenth day of December.

Previous to the arrival of Redfield, the Governor's exterminating order, General Clark's reports, the report of the *ex parte* investigation at Richmond, with other papers, had been forwarded to the legislature and referred to a special joint committee. That committee reported on the eighteenth day of December; and to show in what bad repute these documents were held by the committee, I need only say that it refused to allow them to be published with the sanction of the legislature, because the evidence adduced at Richmond in a great degree was *ex parte* and not of a character to be desired for the basis of a fair and candid investigation. Also because the grand juries in the several counties to which the charges against the Mormon prisoners would be referred would be required to act upon the same documentary evidence which the committee would be compelled to examine; by which circumstances two coordinate branches of government might be brought into collision—a circumstance that should be avoided. Also the report

2. Documentary History of the Church. Vol. III, p. 217, *et seq.*

of the committee previous to the trial of the Mormon prisoners might be prejudicial to them, and prevent a fair and impartial trial. The report concluded with three resolutions: one to the effect that it was inexpedient at that time to prosecute further the inquiry into the cause of the late disturbances; another to the effect that it was inexpedient to publish any of the documents accompanying the Governor's message in relation to those disturbances; the last favored the appointment of a joint committee from the house and senate to investigate the troubles in Upper Missouri, and the conduct of the military operations to suppress them. These resolutions were referred to a joint select committee with instructions to report a bill in conformity thereto.³ On the nineteenth the petition from the Saints was read amid the profound stillness of the house. At its conclusion an angry debate followed, in which quite a number of the members testified to the correctness of the statements made in the petition and to the cruelties practiced upon the Saints, but they were in the minority.

On the sixteenth of January, Mr. A. W. Turner, the chairman of the special conjoint committee before alluded to, in conformity with the resolution passed, reported "a bill to provide for the investigation of the late disturbances in the state of Missouri." The bill consisted of twenty-three sections. It provided for a joint committee composed of two members of the senate and three members from the house, which was to meet at Richmond on the first Monday in May and thereafter at such time and places as it saw proper. The committee was to select its own officers; issue subpœnas and other processes, administer oaths, keep a record, etc.

This bill was introduced on the sixteenth of January, and on the fourth of February called up for its first reading, but on motion of a Mr. Wright was laid on the table till the fourth day of July. He knew that by that time, since the Governor's exterminating order was still in force, that the "Mormons" in obedience to that cruel edict, would all have left the state, and

3. The report of the committee in extenso will be found in Documentary History of the Church. Vol. III, pp. 235-8.

then there would be no need of an investigation; and that was the fate of the bill. It was never afterwards brought up.⁴

The legislature appropriated two thousand dollars to relieve the sufferings of the people in Daviess and Caldwell counties, the "Mormons" were to be included as beneficiaries of the act. And now came an opportunity for the Missourians of Daviess county to display their generosity. Having filled their homes with the household effects of the Saints; their barns and stables with the stock they had stolen; their smoke houses with "Mormon" beef and pork; they concluded they could get along without their portion of the appropriation and allowed the two thousand dollars to be distributed among the "Mormons" of Caldwell county.

Judge Cameron and a Mr. McHenry superintended the distribution of this appropriation. The hogs owned by the brethren who had lived in Daviess county were driven down into Caldwell, shot down, and without further bleeding roughly dressed and divided among the Saints at a high price. This and the sweepings of some old stores soon exhausted the legislative appropriation, which amounted to little or nothing in the way of relief to the Saints.⁵

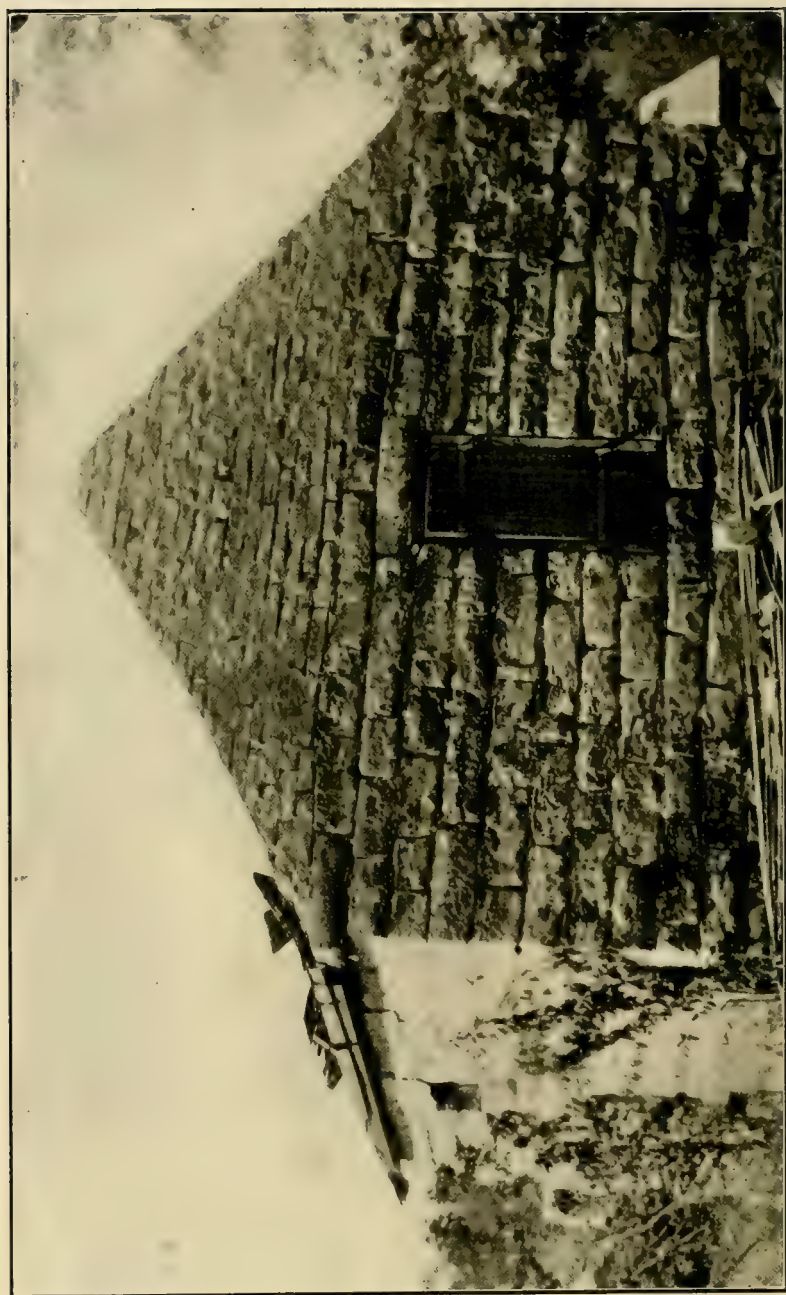
Subsequently this same legislature, while the petition of the Saints for a redress of their wrongs was lying before it, *appropriating two hundred thousand dollars to defray the expenses incurred in the "Mormon War."*

4. See note 2 end of chapter.

5. "The legislature of Missouri, to cover their infamy, appropriated the munificent sum of \$2,000 to help the suffering Mormons. Their agent took a few miserable traps, the sweepings of an old store; for the balance of the patrimony he sent into Daviess county and killed our hogs, which we were then prevented from doing, and brought them to feed the poor "Mormons" as part of the legislative appropriation." (*The Mormon Question* a Disussion between Schuyler Colfax, Vice President of the United States, and President John Taylor,—1869—p. 19).

The History of Caldwell county published by the National Historical Company (1886), p. 143, makes the following statement upon the subject:

"By an act of the legislature approved December 11, 1838, the sum of \$2,000 was appropriated, for the purpose of relieving the indigent and suffering families in Caldwell and Daviess counties, and the following commissions were appointed to expend the sum and distribute 'food, raiment, and other necessities' among the deserving; Anderson Martin, Wm. Thornton and John C. Richardson of Ray county; Elisha Cameron, John Thornton and Eli Casey, of Clay, Henry McHenry, of Caldwell, and M. T. Green, of Daviess. It is asserted that not a dollar of the appropriation was expended for the benefit of the Mormons, although the act itself did not especially exclude them. The Gentiles were the sole beneficiaris."



LIBERTY JAIL—THE PRISON-TEMPLE OF MISSOURI

NOTE 1: THE SUFFERING AND INJUSTICE ENDURED BY THE SAINTS IN THE EXODUS FROM MISSOURI: "The Mormons began leaving at once, and continued until all were gone except a few who gave up their associates rather than their property and who had friends among the citizens. Many sold out for what they could get, others left being unable to sell at all. Their leaders were prisoners, their means of defense as well as offense were taken from them, and the order of the governor caused some twelve thousand of them to be driven from the State. The official statement of the number killed and wounded on both sides in this Mormon war was officially stated as forty Mormons killed and several wounded, and one citizen killed and fifteen badly wounded." (History of Daviess county, Birdsall and Dean—1882—p. 205).

"In the midst of an inclement winter, in December, 1838, and in January, 1839, many of the Mormon men, women, and children, the sick and the aged, as well as the young and strong, were turned out of their homes in this (Caldwell) county and Daviess, into the prairies and forests, without food, or sufficient protection from the weather. In some instances in Daviess, their houses were burnt before their eyes and they turned out into the deep snow. Only a few cabins in the southwestern part of Caldwell were burned at this time.

Numerous families set out at once for Illinois, making the entire distance, in midwinter, on foot. A large majority, however, remained until spring as under the terms of the treaty they were allowed to remain in the county until that time. All through the winter and early spring those who remained prepared to leave. They offered their lands for sale at very small figures. In fact many bartered their farms for teams and wagons to get away on. Some traded for any sort of property. Charles Ross, of Black Oak, bought 40 acres of good land, north of Breckenridge, for a blind mare and a clock. Some tracts of good land north of Shoal Creek, in Kidder Township, brought only fifty cents an acre. Many of the Mormons had not yet secured the patents to their lands, and though they had regularly entered them, they could not sell them; the Gentiles would not buy unless they could receive the government's deeds, as well as the grantor's. These kinds of lands were abandoned altogether, in most instances, and afterwards settled upon by Gentiles who secured titles by keeping the taxes paid." (History of Caldwell county; National Historical Co.—1881—p. 142).

"These conditions (i. e., the terms enforced by Lucas and Clark) were certainly very hard, but they were the best that could be obtained; and if we may credit Mormon writers, it was

owing to the determined stand of Alexander W. Doniphan that they were not more rigorous.. As it was, the scenes that took place when the time came for carrying out these terms are said to have beggared description. The season was already far advanced, transportation was totally insufficient, and yet notwithstanding these silent appeals for delay some thousands of these unfortunate creatures of all ages, sizes, conditions, and of both sexes, were driven from their homes, and compelled to cross almost the entire northern part of the State before they could hope to find a resting place. As a rule, they were poor, had nothing but the small farms from which they were driven, but such was the pressure put upon them, or their anxiety to get away, that not infrequently "a valuable farm was traded for an old wagon, a horse, a yoke of oxen, or anything that would furnish them with the means of leaving." To take advantage of the necessities of a people so situated, even when their misfortunes were brought about by their own misdeeds [which they were not, as established by the text of our history] was certainly bad enough; but what adds immeasurably to the shame of the transaction is the fact that there are grounds for believing that not a little of the intolerance shown on this occasion may have been due to a desire on the part of the Gentiles to get possession of the Mormons' land. At least, this is the not unnatural inference from the statement made, not by one of themselves, but by a gentleman who has enjoyed exceptional advantages for acquainting himself with the facts of the case, and who tells us that "in many instances conveyances of land were demanded and enforced at the mouth of a pistol or rifle."

In a note Carr adds: "Switzler, in the Commonwealth of Missouri, p. 249. In the Succinet History we are told that 'Several hundred persons were driven in a defenseless condition into a hollow square of armed fiends, and compelled to sign away their property to the republic of Missouri, to defray the expenses which had been incurred in committing these crimes.' " (American Commonwealth—Missouri—Carr—1888—&p. 183-4).

"The surrender took place in November. The days were cold and bleak, but the clamor for the instant removal of the 'Mormons' was so great that the old and young, the sick and feeble, delicate women and suckling children, almost without food and without clothing were compelled to abandon their homes and firesides to seek new homes in a distant state. Valuable farms were sold for a yoke of oxen, an old wagon or anything that would furnish means of transportation. Many of the poorer classes were compelled to walk. Before half their journey was accomplished the chilly blasts of winter howled about them and

added to their general discomfort. The suffering they endured on this forced march though great, was soon forgotten in the prosperity of Nauvoo, their new asylum. Their trials and sufferings instead of dampening the ardor of the Saints, increased it tenfold. 'The blood of the martyrs became the seed of the Church.' " ("Caldwell County" by Crosby Johnson).

NOTE 2. THE FINAL ACTION OF THE MISSOURI LEGISLATURE IN RELATION TO DOCUMENTS ACCOMPANYING GOVERNOR FORD'S MESSAGE: In the legislature which convened in 1840-41, the subject of the "Mormon" difficulties was again taken up on the recommendation of Governor Boggs in his message. By this time the unwarranted procedure of the executive of the State, the militia officers, and the previous legislature began to be known throughout the country and widely commented upon by the press, and very generally condemned. This produced great uneasiness in the mind of Governor Boggs, and in his message to the legislature of 1840-41 he suggested that:

"To explain the attitude which we have been made to assume I would recommend the publication of all the events relating to the occurrence, and distributing the same to the chief authorities of each State. In pursuance of this recommendation the joint committee appointed from the senate and house made a collection of documents on the subject covering 162 pages. In the collection, however, there are none of the statements, petitions, or representations made to the public or the legislature by the Saints. The documents consist of the action of the respective houses in the appointment of committees and reports of those committees recommending investigations, etc.; of the reports and military orders of the militia generals; while the remainder of the pamphlet is made up of the *ex parte* testimony taken before Judge King at Richmond, concerning which testimony the Turner senate committee in reporting to the senate, under date of December 18, 1838, said: 'It is manifestly not such evidence as ought to be received by the committee.

'First, because it is not authenticated; and,

'Second, it is confined chiefly to the object of inquiry, namely, the investigation of criminal charges against individuals under arrest.' "

The action of the legislature was an attempt to vindicate the State of Missouri in her treatment of the Latter-day Saints. The effort, however, was in vain. The truth in relation to those transactions, in spite of all the efforts of the legislature was known, and the State's attempt to counteract its influence by a publication of documents giving a hearing to but one side of the

case, only emphasized the crime. I say but one side of the question was given, that should be so far modified as to admit that in the petition and affidavits about three and a half pages of matter are from Mormons or persons favorable to them; and in the second part, under the caption, "Evidence" there is about three pages of pro Mormon evidence. The History of Caldwell county records the following concerning the publication of this collection of documents: "The same legislature [i. e. of 1839] also prohibited the publication of 'the orders, letters, evidences, and other documents relating to the Mormon disturbances,' and enjoined the Secretary of the State from 'furnishing or permitting to be taken copies of the same for any purpose whatsoever.' Two years later, however, this prohibition was recinded. (See Acts 10th Gen. Assembly, p. 334). Why the act was passed in the first place may better be conjectured than positively asserted." ('History of Caldwell County, National Historical Society,' p. 143).

"Extract of a letter from A. W. Turner, one of the members of the Missouri Legislature; [also he was chairman of the Committee on 'Mormon Investigation'] dated city of Jefferson, November 31st, 1838; taken from the '*Columbia Patriot*,' a Whig paper published in Missouri:

"The Mormon war is the most exciting subject before the Legislature or the community; it involves an enquiry the most critical of any ever presented to the Legislature of this country; one in which the rights of a portion of the free citizens of the State is concerned on one side, and the rights of another portion of the same citizens on the other. Upon the decision of this subject the character of the State is suspended. If upon full investigation it is found (and reported by the committee to the Legislature) that the Mormons are not the aggressors, and that some of them have been murdered, others driven from the State by military force, and others imprisoned by order of the Executive, then our character will be established as the most lawless invaders of religious and civil rights."

"Will the public believe that with the above view of the subject, the Legislature avoided an investigation? Wonder and be astonished, O Americans!" (Pratt's Presentation of the Saints—1840, pp. 133, 134).

NOTE 3: MISSOURI CONDEMNED: "What authority Gen. Lucas had to make such a treaty and to impose such conditions is not clear. It would seem that he regarded the Mormons as composing a foreign nation, or at least as forming an army with belligerent rights, and with proper treaty-contracting powers.

The truth was they were and had not ceased to be citizens of Missouri, amenable to and under the jurisdiction of its laws. If they had committed any crime they ought to have been punished, just the same as other criminals. There was no authority for taking their arms from them except that they were proved to be militia in a state of insubordination. There was no sort of authority for requiring them to pay the expense of the war. It was monstrously illegal and unjust to attempt to punish them for offenses for which they had not been tried and of which they had not been convicted. It would be a reasonable conclusion that in making his so-called treaty, Gen. Lucas was guilty of illegal extortion, unwarranted assumption of power, usurpation of authority, and flagrant violation of the natural rights of man." (*History of Caldwell County*, National Historical Company, p. 143).

"The entire proceedings in the cases [i. e. the proceedings against Joseph Smith *et al* on the charge of "treason against the state and murder, arson, robbery, etc.] were disgraceful in the extreme. There never was a handful of evidence that the accused were guilty of the crimes with which they were charged. Those who were tried were defended by General Doniphan and James S. Rollins. (*History of Clay county*, by National Historical Company—1885—pp. 132-5).

"That Governor Boggs' order of banishment was illegal and contrary to the spirit of our institutions—as are all such, whether emanating from executives, courts, or mobs—cannot be controverted." (*Prophet of Palmyra*, Gregg—p. 146).

"From first to last—but especially in the outset of the troubles—the Governor of the state was guilty of the most unpardonable remissness and partiality. He was formerly of Jackson county, and came into office with strong prejudices against the Mormons. At the time of the difficulty in Carrol, the Mormons sent and besought his interposition. He refused it, on the pretext of expense; but in a few weeks afterwards, ordered out against the Mormons, an army large enough to have prostrated ten times the force, supposed to be arrayed against it.

The conduct too, of Gen. Lucas, who commanded at the (so called) surrender at Far West, was to the last degree absurd and tyrannical. Regarding the Mormons—not as American citizens—but as prisoners of war, belonging to a strange and belligerent people, he imposed upon them a 'treaty' by which they bound themselves, through a committee to indemnify (the innocent for the guilty) the sufferers in Daviess, and to quit the state. Such stipulations, so flagrantly at war with the law of the land and with common right, did this notable general officer,

in the execution of his high and delicate trust, think fit to exact of his Mormon prisoners; supposing, as he doubtless did, that the Mormons were bound by it!" (Western Correspondent to the *Boston Atlas*).

"The general Assembly of Missouri refused investigation of the origin and history of this unexampled persecution. They knew better than to do it. Impartial investigation would have implicated the state and many of its legislators too deeply. It was a series of enormities that would not bear the light; and they, therefore—so far as they could do it—have quenched it in the darkness." (*Letter from Western Correspondent to the Boston Atlas*.)

Notwithstanding these and many other expressions of disapproval that found their way into current periodicals and books, yet there was, as stated by Parley P. Pratt, "Many state journals which tried to hide the iniquity of the state, by throwing a covering of lies over her atrocious deeds. But can they hide the Governor's cruel order for extermination or banishment? Can they conceal the facts of the disgraceful treaty of the Generals, with their own officers and men, at the city of Far West? Can they conceal the fact that ten or twelve thousand men, women and children, have been banished from the state without trial of condemnation. And this at an expense of two hundred thousand dollars, and this sum appropriated by the State Legislature, in order to pay the troops for this act of lawless outrage? Can they conceal the fact that we have been imprisoned for many months, while our families, friends and witnesses have been driven away? Can they conceal the blood of the murdered husbands and fathers; or stifle the cries of the widow and the fatherless?" (*Pratt's Persecution of the Saints*,—1840—p. 111).

CHAPTER XXXIII

LIBERTY JAIL—A TEMPLE—ESCAPE OF THE PRISONERS

The winter of 1838-9 was a trying one to President Joseph Smith and his associates immured in Liberty Prison. The food was course and filthy. "We could not eat it until we were driven to it by hunger," says Alexander McRae.¹ This hardship was some times relieved by the ministrations of friends in the neighborhood who brought them wholesome food and passed it through

1. Letter to *Deseret News*, Salt Lake City, Oct. 9th, 1854.

the prison window. One of the prisoners suspected that at one time an attempt was made to feed them upon human flesh, basing his suspicion upon the appearance of the meat and the fact that one of the guards made sport of the prisoners, saying that he had fed them on "Mormon beef,"² but this boast might have arisen from the fact that "Mormon" cattle were brought in and killed for beef. Bad as the Missourians were, they are entitled to the benefit of the doubt that exists in the case of such a revolting crime.

Sometimes the prisoners were visited by their enemies, many of whom were very angry with the Prophet, especially, and would accuse him of killing a son, a brother, or some relative of theirs at what was called the "Battle of Crooked River." "This looked very strange to me," says Alexander McRae, one of the Prophet's fellow prisoners, "that so many should claim a son or a brother killed there, *when they reported only one man killed.*"³

Of course every effort was made to secure the liberation of the prisoners. A hearing was obtained on writs of *habeas corpus* before Judge Turnham, one of the judges of Clay county, and Sidney Rigdon was released; but the rest were remanded to prison. Such was the state of feeling existing even in Clay county, that although Elder Rigdon was released by the court, he had to leave the prison at night and by stealth, and flee from the State to escape the mob.⁴

Word came into the prison that some of the most influential men in Western Missouri had said in the streets of Liberty, that the "Mormon prisoners would have to be condemned or the character of the State would go down." Upon this the prisoners determined upon making an effort to escape by rushing from the prison when their evening meal was served. In this they failed, and the news that they had attempted an escape greatly excited the populace, and many threats of violence were made, but nothing came of them.⁵

2. Affidavit of Hyrum Smith, Documentary History of the Church. Vol. III, p. 420.

3. McRae's Letter to the *Deseret News*, Oct. 9th, 1854.

4. Documentary History of the Church. Vol. III, pp. 264, 465.

5. *Ibid* 258, McRae Letters to the *Deseret News*.

President Smith also alludes to another attempt at escape by making a breach in the prison wall, but they were discovered upon the very eve of its accomplishment.⁶ The prisoners also had some misunderstanding with their attorneys in the matter of conducting their case, and the Prophet was insensed at the course of Gen. Atchison as his counsel.⁷

The succession of these unpleasanties was occasionally broken by the coming of a friend or a group of them to express their sympathy for the prisoners, and their confidence in the Prophet. All the prisoners, and especially the latter, appreciated these visits. "I was in prison and ye visited me," had a real meaning in his experience. "Those who have not been enclosed in the walls of a prison," he writes, "can have but little idea how sweet the voice of a friend is. One token of freindship from any source whatever awakens and calls into action every sympathetic feeling; it brings up in an instant everything that is passed; it seizes the present with the avidity of lightning; it grasps after the future with the fierceness of a tiger; it moves the mind backward and forward, from one thing to another, until finally all enmity, malice and hatred, and past differences, misunderstanding and mismanagements are slain victorious at the feet of hope."⁸

These visiting friends also brought information concerning the progress of the Church in leaving the State, which enabled the Prophet to give the Saints counsel from time to time. Also he communicated with them by letter several times, and in these communications he loosened the flood-tide of his over-wrought emotions, and in them the greatness of his soul is often revealed. The following salutation in one of these communications will exhibit the spirit in which he wrote to his people:

6. "The sheriff and jailer did not blame us for our attempt; it was a fine breach, and cost the county a round sum; but public opinion says that we ought to have been permitted to have made our escape; that then the disgrace would have been on us, but now it must come on the state; that there cannot be any charge sustained against us; and that the conduct of the mob, the murders committed at Haun's Mill, and the exterminating order of the Governor, and the one-sided, rascally proceedings of the legislature, have damned the state of Missouri to all eternity."—*Joseph Smith: Letter to the Church, March 25th, 1839. Documentary History of the Church, of 289 et seq.*

7. *Ibid.*

8. *Ibid.*

“Your humble servant, Joseph Smith, Jun., prisoner for the Lord Jesus Christ’s sake, and for the Saints, taken and held by the power of mobocracy, under the exterminating reign of his excellency, the Governor, Lilburn W. Boggs, in company with his fellow prisoners and beloved brethren, Caleb Baldwin, Lyman Wight, Hyrum Smith, and Alexander McRae, send unto you all greeting. May the grace of God the Father, and of our Lord and Savior Jesus Christ, rest upon you all, and abide with you forever. May knowledge be multiplied unto you by the mercy of God. And may faith and virtue, and knowledge and temperance, and patience and godliness, and brotherly kindness and charity be in you and abound, that you may not be barren in anything, nor unfruitful.

For inasmuch as we know that the most of you are well acquainted with the wrongs and the high handed injustice and cruelty that are practiced upon us; whereas we have been taken prisoners charged falsely with every kind of evil, and thrown into prison, enclosed with strong walls, surrounded with a strong guard, who continually watch day and night as indefatigably as the devil does in tempting and laying snares for the people of God:

Therefore, dearly beloved brethren, we are the more ready and willing to lay claim to your fellowship and love. For our circumstances are calculated to awaken our spirits to a sacred remembrance of everything, and we think that yours are also, and that nothing therefore can separate us from the love of God and fellowship one with another; and that every species of wickedness and cruelty practiced upon us will only tend to bind our hearts together and seal them together in love. We have no need to say to you that we are held in bonds without cause, neither is it needful that you say unto us, we are driven from our homes and smitten without cause. We mutually understand that if the inhabitants of the State of Missouri had let the Saints alone, and had been as desirable of peace as they were, there would have been nothing but peace and quietude in the State unto this day; we would not have been in this hell, surrounded with demons (if not those who are damned, they are those who shall be damned); and where we are compelled to hear nothing but blasphemous oaths, and witness a scene of blasphemy, and drunkenness, and hypocrisy, and debaucheries of every description.”⁹

The Prophet does not hesitate to indulge in self-criticism, and criticism of the Saints in these communications. Having in mind

9. Epistle to the Church from Liberty Prison, March 25th, 1839, Documentary History of the Church Vol. III, p. 289, *et seq.*

the exalted station which the New Dispensation conferred upon the Priesthood of the Church, and upon the members, he said:

“How vain and trifling have been our spirits, our conferences, our councils, our meetings, our private as well as public conversations—too low, too mean, too vulgar, too condescending for the dignified characters of the called and chosen of God, according to the purposes of His will, formed before the foundation of the world! We are called to hold the keys of the mysteries of those things that have been kept hid from the foundation of the world until now. Some have tasted a little of these things, many of which are to be poured down from heaven upon the heads of babes; yea, upon the weak, obscure and despised ones of the earth. Therefore we beseech of you, brethren, that you bear with those who do not feel themselves more worthy than yourselves, while we exhort one another to a reformation with one and all, both old and young, teachers and taught, both high and low, rich and poor, bond and free, male and female; let honesty, and sobriety and candor, and solemnity, and virtue, and pureness, and meekness, and simplicity crown our heads in every place; and in fine, become as little children, without malice, guile or hypocrisy.”¹⁰

The experiences in Missouri evidently had a broadening effect upon the Prophet’s mind. He thus instructs his people in relation to the tolerance that should be exercised towards those not of the faith:

“We ought always to be aware of those prejudices which sometimes so strangely present themselves, and are so congenial to human nature, against our friends, neighbors, and brethren of the world, who choose to differ from us in opinion and in matters of faith. Our religion is between us and our God. Their religion is between them and their God. There is a love from God that should be exercised toward those of our faith, who walk uprightly, which is peculiar to itself, but it is without prejudice; it also gives scope to the mind, which enables us to conduct ourselves with greater liberality towards all that are not of our faith, than what they exercise toward one another.”¹¹

In relation to civil duties and the sacredness and value of the

10. Documentary History of the Church, Vol. III, pp. 295-6.

11. Documentary History of the Church, Vol. III, p. 304.

Constitution of the United States, the Prophet thus taught his people from within the walls of his prison:

“Here is a principle also, which we are bound to be exercised with, that is, in common with all men, such as governments, and laws, and regulations in the civil concerns of life. This principle guarantees to all parties, sects, and denominations, and classes of religion, equal, inherent, and indefeasible rights; they are things that pertain to this life; therefore all are alike interested; they make up our responsibilities one towards another in matters of corruptible things, while the former principles respecting religion do not destroy the latter, but bind us stronger, and make up our responsibilities not only one to another, but unto God also. Hence we say, that the Constitution of the United States is a glorious standard; it is founded in the wisdom of God.¹² It is a heavenly banner; it is to all those who are privileged with the sweets of its liberty, like the cooling shades and refreshing waters of a great rock in a thirsty and weary land. It is like a great tree under whose branches men from every clime can be shielded from the burning rays of the sun. We, brethren, are deprived of the protection of its glorious principles, by the cruelty of the cruel, by those who only look for the time being for pasturage, like the beasts of the field, only to fill themselves; and forget that the ‘Mormons’ as well as the Presbyterians, and those of every other class and description, have equal rights to partake of the fruits of the great tree of our national liberty.’”¹³

And this was the peroration of the Epistle:

“We say that God is true; that the Constitution of the United States is true; that the Bible is true; that the Book of Mormon is true; that the Book of Covenants is true; that Christ is true; that the ministering angels sent forth from God are true; and that we know that we have ‘an house not made with hands eternal in the heavens, whose builder and maker is God,’ a consolation which our oppressors cannot feel, when fortune, or fate, shall lay its iron hand on them as it has on us.”¹⁴

Such outgivings as these made Liberty Jail, for a time, a center of instruction. The eyes of the Saints were turned to it

12. Doctrine and Covenants, Sec. 101:76-80.

13. Documentary Hist. of the Church Vol. III, p. 304.

14. *Ibid.*

as the place whence would come encouragement, counsel—the word of the Lord. It was more temple than prison,¹⁵ so long as the Prophet was there. It was a place of meditation and prayer. A temple, first of all, is a place of prayer; and prayer is communion with God. It is the “infinite in man seeking the infinite in God.” Where they find each other there is holy sanctuary—a temple. Joseph Smith sought God in this rude prison, and found Him. Out of the midst of his tribulations he called upon God in passionate earnestness—

“O God! where art thou? And where is the pavilion that covereth thy hiding place? How long shall thy hand be stayed, and thine eye, yea thy pure eye, behold from the eternal heavens, the wrongs of thy people, and of thy servants, and thine ear be penetrated with their cries? Yea, O Lord, how long shall they suffer these wrongs and unlawful oppressions, before thine heart shall be softened towards them, and thy bowels be moved with compassion towards them? O Lord God Almighty, Maker of the heaven, earth, and seas, and of all things that in them are, and who controlleth and subjecteth the devil, and the dark and benighted dominion of Shayole! Stretch forth thy hand; let thine eye pierce; let thy pavilion be taken up; let thy hiding place no longer be covered; let thine ear be inclined; let thine heart be softened, and thy bowels moved with compassion towards us. Let thine anger be kindled against our enemies; and in the fury of thine heart, with thy sword avenge us of our wrongs. Remember thy suffering¹⁵ Saints, O our God! and thy servants will rejoice in thy name forever.”

And God answered, and said:

“My son, peace be unto thy soul; thine adversity and thine afflictions shall be but a small moment; and then, if thou endure

15. Liberty Jail faced the east, and was scant two hundred yards from the court house. It was built of rough dressed limestone, of a yellowish color. Its dimensions were twenty by twenty-two feet, and the walls were two feet thick. It had two floors, hence two rooms—an upper one and a basement, which formed a dungeon. In the east end was a heavy door made strong, and of great thickness, by nailing inch oak boards together with iron spikes. In the south side of the upper room there was a small opening, a foot and a half square, with strong iron bars, two inches apart, firmly embedded in the stones of the wall. “It cost the county six hundred dollars; Solomon Fry being the contractor.”

A photogravure of the rude structure accompanies this chapter, from a photograph taken some years ago, after the building was fallen into decay. The old building has since been removed.

15. Doc. & Cov. Sec. CXXI; 1-6.

it well, God shall exalt thee on high; thou shall triumph over all thy foes; Thy friends do stand by thee, and they shall hail thee again, with warm hearts, and friendly hands; Thou art not yet as Job; thy friends do not contend against thee, neither charge thee with transgression, as they did Job; And they who do charge thee with transgression, their hope shall be blasted, and their prospects shall melt away as the hoar frost melteth before the burning rays of the rising sun;¹⁶ * * * The ends of the earth shall enquire after thy name, and fools shall have thee in derision, and hell shall rage against thee, while the pure in heart, and the wise, and the noble, and the virtuous, shall seek counsel, and authority, and blessings constantly from thy hand, *and thy people shall never be turned against thee by the testimony of traitors;* * * * If thou art called to pass through tribulation, if thou art in perils among false brethren, if thou art in perils among robbers, if thou art in perils by land or by sea, If thou art accused with all manner of false accusation, if thine enemies fall upon thee, if they tear thee from the society of thy father and mother and brethren and sisters, and if with a drawn sword thine enemies tear thee from the bosom of thy wife, and of thine offspring * * * And if thou shouldst be cast into the pit, or into the hands of murderers, and the sentence of death passed upon thee, if thou be cast into the deep, if the billowing surge conspire against thee, if fierce winds become thine enemy, if the heavens gather blackness, and all the elements combine to hedge up the way; and above all, if the very jaws of hell shall gape open the mouth wide after thee, *Know this my son, that all these things shall give thee experience, and shall be for thy good.* The son of man hath descended below them all; art thou greater than He.”¹⁷

One other lesson came of that seven times heated furnace of Missouri experience. A lesson rich in great possibilities for the future peace and prosperity of the Church. A lesson that bars priest-craft from the Church, and enthrones there a true priesthood, moved to action by the pure love of God and man, which is charity.¹⁸ It establishes the government of the Church as moral government, and moral government alone—God’s gov-

16. *Ibid* verses 6-11.

17. Doc. & Cov. Sec. 22:1-7.

18. Book of Mormon, Moroni, Ch. VII.

ernment.¹⁹ That lesson also was put into form in that Prison-Temple, Liberty Jail, and stands in the revelation as follows:

“Behold, there are many called, but few are chosen. And why are they not chosen? Because their hearts are set so much upon the things of this world, and aspire to the honors of men, that they do not learn this one lesson— That the rights of the Priesthood are inseparably connected with the powers of heaven, and that the powers of heaven cannot be controlled nor handled only upon the principles of righteousness. That they may be conferred upon us, it is true; but when we undertake to cover our sins, or to gratify our pride, our vain ambition, or to exercise control, or dominion, or compulsion, upon the souls of the children of men, in any degree of unrighteousness, behold, the heavens withdraw themselves; the Spirit of the Lord is grieved; and when it is withdrawn, Amen to the Priesthood, or the authority of that man. Behold! ere he is aware, he is left unto himself, to kick against the pricks; to persecute the saints, and to fight against God. We have learned, by sad experience, that it is the nature and disposition of almost all men, as soon as they get a little authority, as they suppose, they will immediately begin to exercise unrighteous dominion.”

“No power or influence can or ought to be maintained by virtue of the Priesthood, only by persuasion, by long suffering, by gentleness, and meekness, and by love unfeigned. By kindness, and pure knowledge, which shall greatly enlarge the soul without hypocrisy, and without guile. Reproving betimes with sharpness, when moved upon by the Holy Ghost, and then showing forth afterwards an increase of love toward him whom thou hast reproved, lest he esteem thee to be his enemy; that he may know that thy faithfulness is stronger than the cords of death.”²⁰

Truly the kingdom of the Christ is not of this world. If it were of this world its reliance would be upon effective government, the government which rests on force. “If my kingdom were of this world,” said the Christ, “then would my servants fight, that I should not be delivered to the Jews; but now is my kingdom not from hence;”²¹ or, not of physical force, but of

19. See *Ante*, ch. XIV.

20. Doc. & Cov. Sec. 121.

21. John xviii:36.

moral suasion. "Every one," says Jesus, in concluding his conversation with Pilate here quoted—"Every one that is of the truth heareth my voice."²² And such as obey, of course, do so because persuaded of the truth. Again the master said:

"Ye know that the princes of the Gentiles exercise dominion over them, and they that are great exercise authority upon them. *But it shall not be so among you*; but whosoever will be great among you, let him be your minister; and whosoever will be chief among you, let him be your servant: Even as the Son of man came not to be ministered unto, but to minister, and give his life a ransom for many."²³

Truly a kingdom not of this world. A kingdom of humility, not of pride; of service, not of mastery; of persuasion and teaching truth, not of physical force; of love, not of compulsion. And how admirably all this conjoins with the great truth announced from the Prison-Temple at Liberty quoted above! The Missouri experiences of the Church were trying and sad. The days were filled with sorrow and the nights with terror; but if out of those fiery ordeals came this lesson, and the absolute truth and force of it could come to the Church in no other way, it was worth to the Church for its future guidance and to humanity all that it cost the Saints. Had the Church been guided altogether in her later Missouri period by the principles of this revelation, her history in that State might have been somewhat different; but if the Son of Man had to learn obedience by the things which he suffered,²⁴ it is not surprising if lesser men learn obedience in the same way, but more slowly.

In April of 1839 the prisoners so long held in Liberty jail were taken into Daviess county where it was expected they would be tried. In about ten days the grand jury reported indictments against them for "treason, murder, arson, theft and stealing." Considering that in Daviess county they would be tried before Judge Thomas C. Birch, who had been the prosecuting attorney in the *ex parte* examination of the charges against them before Judge King at Richmond in November preceding, and also con-

22. *Ibid* verse 37.

23. Matt. XX:25-28.

24. Hebrews V:8.

nected as a military officer with the courtmartial that condemned them to be shot at Far West; that some of the grand jury which had indicted them were men connected with the massacre at Haun's Mill; and having reason to believe that the trial jury would be men made up of the same class, the prisoners asked for a change of venue to Marion county. That was denied, but one was given them to Boone county, and Judge Birch made out the mittimus without date, name, or place; and the prisoners in charge of the sheriff and four other men and a two horse team and wagon started for Boone county.

Passing through Diahman the prisoners were allowed to purchase two horses of the guard, giving some clothing for one, and their note for the other. The third day out from Gallatin three of the guards and the sheriff got drunk and went to bed. The sheriff, previously having shown the prisoners the mittimus made out by Judge Birch, now also informed them that Birch had told him not to take the prisoners to Boone county. After exposing the plan that had been laid for their escape by the authorities, the sheriff assured the prisoners that he should take a good drink of whiskey and go to bed, and they could do as they pleased. Accordingly when all the guards but one were asleep, that one, who, by the way, was sober as well as awake, assisted them to mount their horses and escape.²⁵ Ten days later they arrived among their friends in Illinois.

The other prisoners who had been left in Richmond during this dreary winter, in the spring were taken to Columbia, in Boone county, and during the summer also escaped and joined their fellow exiles in Illinois.

The escape of Joseph Smith and his associates from Liberty prison and the State was not the last scene of Mormon experience in Missouri. This chapter can be closed with the record of a prophecy fulfilled. In closing chapter XXVIII of this History reference was made to an appointment in a revelation given on the 8th of July, 1838, requiring the quorum of Apostles to take leave of the Saints in Far West on the site of the Lord's House, and thence depart "over the great waters"—Atlantic Ocean—

²⁵. See Affidavit of Hyrum Smith, Documentary History of the Church, Vol. III, p. 423. Also *note* Ibid, p. 321, and note 1 end of this chapter.

“and there promulgate the gospel.” Also reference was made to the boast of the mob that this was one of “Joe Smith’s revelations that should fail.”

At the time appointed, however, the twenty-sixth day of April, 1839, five of the Twelve Apostles arrived there, having come from Quincy, Illinois, by various routes to elude the vigilance of their enemies, together with a number of Elders, High Priests and other officers. The five Apostles ordained Wilford Woodruff and George A. Smith members of their quorum, thus making the number of Apostles present seven, a majority of the Twelve, and hence competent to transact business as a quorum. They also ordained Darwin Chase and Norman Shearer, both newly released from Richmond prison, to the office of Seventy. They excommunicated a number of persons from the Church; prayer was offered up by the Apostles in the order of their standing in the quorum. A hymn known to the saints as Adam-Ondi-Ahman²⁶ was sung. After this hymn, Elder Alpheus Cutler, the master-workman of the Lord’s House, laid the south-east corner stone in its position, and said: “In consequence of the peculiar situation of the saints, it was deemed prudent to discontinue further labor on the House until the Lord should open the way for its completion.” The Apostles then took leave of some seventeen Saints, who were present, and started on their way to fill their missions “over the great waters.” Thus was fulfilled that revelation in every particular, notwithstanding the boasts of the mob which said it should fail of fulfillment.²⁷

NOTE 1. “ESCAPE OF JOSEPH SMITH AND ASSOCIATES FROM THEIR GUARDS:—“Messrs. Smith, Rigdon, Wight, and other comrades in jail at Liberty took a change of venue to Boone county and the Daviess county officers started with the prisoners to their destination in Boone county. Some of the prisoners having no horses, William Bowman, the first sheriff of Daviess county, furnished the prisoners three and they left in charge of William Morgan the sheriff of the county. The sheriff alone returned on horseback, the guard, who accompanied him, returning on foot or “riding and tying” by turns. The sheriff reported that

26. See Chapter XXVII this History.

27. The minutes of this meeting of the Twelve at Far West, are given at length in Documentary History of the Church. Vol. III, pp. 336-9.

the prisoners had all escaped in the night taking the horses with them, and that a search made for them proved unavailing. The people of Gallatin were greatly exercised and they disgraced themselves by very ruffianly conduct. They rode the sheriff on a rail, and Bowman was dragged over the square by the hair of the head. The men guilty of these dastardly acts accused the sheriff, Morgan, and ex-sheriff, Bowman, of complicity in the escape of the Mormon leaders; that Bowman furnished the horses and that Morgan allowed them to escape, and both got well paid for their treachery. The truth of history compels us to state that the charges were never sustained by any evidence adduced by the persons who committed this flagrant act of mob law." (History of Daviess county, Birdshall and Dean—1882, p. 206).

"After some months of confinement Smith made his escape, it was said by the connivance of the sheriff who had him in charge, the authorities probably deeming this the easiest way of disposing of a troublesome case." (The Prophet of Palmyra, Gregg, p. 146).

CHAPTER XXXIV

RETRIBUTION: WAS IT INFLICTED ON MISSOURI

There have been, of course, more extensive persecutions than that inflicted on the Saints in Missouri in 1838-9; but I doubt if there has ever been a persecution more cruel or terror laden in its character. Viewed from the standpoint of its net results there were some fifty people, men, and children, killed outright; about as many more were wounded or cruelly beaten, and very many more, including delicate women, perished indirectly because of the exposure to which they were subjected during the exodus.

In round numbers it is estimated that between twelve and fifteen thousand people, citizens of the United States, after being dispossessed of their lands and many of their houses burned or otherwise destroyed were forcibly driven from the state.

Joseph Smith represents that before leaving Missouri he paid the lawyers at Richmond \$34,000.00 in cash and land. One tract for which he was allowed, on account, \$7,000.00, the lawyers were soon offered \$10,000.00 for, but they refused to accept it. In vexatious suits others than those in Richmond he paid his

lawyers \$16,000.00. Making in all fifty thousand dollars. "For which," he remarks, "I received very little in return."¹

It is known that the Saints paid to the United States government for land alone, three hundred and eighteen thousand dollars, which, at the minimum price of one dollar and a quarter per acre, would give them land holdings of over two hundred and fifty thousand acres, representing for that day very large interests.²

To this list of results must be added the more horrible one of several cases of ravishment at Far West; and also, after barely escaping from the sentence of death pronounced by a court martial, the cruel imprisonment through weary months of a number of Church leaders.

In passing judgment upon such matters as these, account must be taken of the age and country in which they occurred; likewise the pretensions to right views of life, and devotion to freedom on the part of the perpetrators of the injustice. Undoubtedly a heavier debt is incurred to history, to humanity and to God, when the parties who resort to such acts of mob violence and injustice live in an enlightened age, and where the free institutions of their country guarantee both the freedom and the security of its citizens.

If in the jungle a man meets a tiger and is torn to pieces, no one thinks of holding the tiger to any moral accountability. Perhaps the hunt will be formed to destroy the beast, but that is merely to be rid of a dangerous animal, and prevent the repetition of the deed. If another meets a cruel death among savages in heathen lands, while some moral responsibility would hold against them, according to their degree of enlightenment, yet the fact that it was the act of savages would be held to reduce the degree of moral turpitude. And likewise even in civilized states, in localities to which the vicious may gravitate, when acts of violence are committed there, some allowance may be,

1. Documentary History of the Church, Vol. III, p. 327.

2. See "American Commonwealths," Missouri, (Houghton, Mifflin & Company, 1888), p. 181. The statement rests upon the authority of discourses by Pres. Geo. A. Smith, Church Historian, Salt Lake City, July 25th, 1869. Also Discourses June 20th, 1869. Journal of Discourses Vol. 13, p. 77.

and generally is, made for the ignorance and general brutality of the particular neighborhood.

By this process of reasoning I think it will appear quite clear that moral responsibility, both on the part of individuals and communities or nations, increases in proportion to their enlightenment. If, therefore, this principle be kept in view, the persecution of the Latter-day Saints by the people of Missouri was a very heinous offense.

True it may be said that the worst acts of cruelty were perpetrated by low, brutish men among the mob or in the militia—for these bodies were convertible from one to the other on shortest possible notice, and wholly as the exigencies of the enemies of the Saints demanded—but these were led and abetted by quite a different order of men; by lawyers, members of the state legislature, by county and district judges, by physicians, by professed ministers of the gospel, by merchants, by leading politicians, by captains, majors, colonels, and generals—of several grades—of the militia, by many other high officials of the state including the Governor, and finally by the action of the state legislature which *appropriated two hundred thousand dollars to defray the expenses incurred by the mob-militia in carrying out of the Governor's manifestly order, exterminating or drive the Saints from the State*. These facts are made apparent in the pages of this History of the Church. The facts cannot be questioned. They are written out most circumstantially. Times, places, and names are given of the incidents related, and the more important of these may be corroborated by histories of these events other than our own.

The persecutions then of the Latter-day Saints in Missouri, and their final expulsion from that state, were crimes against the enlightenment of the age and of the state where the acts occurred; a crime against the constitutions and institutions both of the state of Missouri and of the United States; as also a crime against the Christian religion. All this must be borne in mind when speaking of the severity and cruelty of this Missouri persecution when compared with other persecutions. The state of Missouri was guilty of a greater crime when it permitted, and even participated in the persecution of the Latter-

day Saints than states were which in the barbarous times of the dark ages persecuted their people, though when estimated in net results there may have been more murders and robberies, greater destruction of property, and more wide-spread suffering in the latter than in the former.

But what of Missouri? Did she pay any penalty for her wrongdoing? Are states such entities as may be held to an accounting for breeches of public faith and public morals—constitutional immoralities? Is there within the State a public conscience to which an appeal can be made; and in the event of the public conscience failing to respond to appeals for justice, and persisting in unrighteousness is there retribution?

I answer these questions in the affirmative; and hold that Missouri paid dearly for the violations of her guarantees of religious freedom, and for her many acts of lawlessness and her cruelties practiced towards the Latter-day Saints. That is to say, the vicious tendencies in lawlessness engendered by the acts of mobs and by the State's course towards the Saints, established such precedents, and begot such a disregard for law that the events to be related in the experience of Missouri as establishing retribution for violation of the plain dictates of justice, became possible. Let me say also before reciting those events, that the results to be pointed out here were specifically predicted by Joseph Smith in the following prophecies:

“Cursed are all those that shall lift up the heel against mine anointed, saith the Lord, and cry they have sinned when they have not sinned before me, saith the Lord, but have done that which was meat in mine eyes, and which I commanded them. But those who cry transgression, do it because they are the servants of sin, and are the children of disobedience themselves. And those who swear falsely against my servants, that they might bring them into bondage, and death—Wo unto them! because they have offended my little ones, they shall be severed from the ordinances of mine house; their basket shall not be full, their houses and their barns shall perish, and they themselves shall be despised by those that flattered them. They shall not have right to the Priesthood, nor their posterity after them, from generation to generation. It had been better for them that a millstone had been hanged about their necks, and they drowned in the depth of the sea. *Wo unto all those that discomfort my people, and drive,*

and murder, and testify against them, saith the Lord of Hosts; a generation of vipers shall not escape the damnation of hell. Behold mine eyes see and know all their works, and I have in reserve a swift judgment in the season thereof, for them all."³

The letter from which this prediction—given as the Word of the Lord—is taken was written from Liberty Prison, March 25, 1839. Again, on the 29th of November, 1843, in the city of Nauvoo, when reviewing in the presence of a number of brethren the course taken by Missouri against the Saints, the Prophet said:

"They shall be oppressed as they have oppressed us, not by 'Mormons,' but by others in power. They shall drink a drink offering, the bitterest dregs, not from the 'Mormons,' but from a mightier source than themselves, God shall curse them."⁴

The following Prophetic incident is given upon the authority of Mr. Leonidas M. Lawson, now of New York City, formerly a resident of Clay county, Missouri, and a brother-in-law of Gen. Doniphan's. "In the year 1863," says Mr. Lawson, "I visited Gen. A. W. Doniphan at his home in Liberty, Clay county, Missouri. This was soon after the devastation of Jackson county, Missouri under what is known as 'Order No. 11.'⁵ This devastation was complete. Farms were everywhere destroyed, and the farm houses were burned. During this visit General Doniphan related the following historical facts and personal incidents." Then follows in Mr. Lawson's account a recital of the treatment meted out to the Saints in Missouri from the time of their first arrival in 1831, to their expulsion, including recitals of the personal relations of Gen. Doniphan and Joseph Smith, including the following incident which occurred during the Prophet's imprisonment in Liberty jail:

"On one occasion General Doniphan caused the sheriff of the county to bring Joseph Smith from the prison to his law office, for the purpose of consultation about his defense. During

3. Documentary History of the Church, Vol. III, p. 294. Doc. & Cov. Sec. 121.

4. Journal of the Prophet under above date, *Millennial Star*, Vol. XXII, p. 392.

5. Of which more later.

Smith's presence in the office, a resident of Jackson county, Missouri, came in for the purpose of paying a fee which was due by him to the firm of Doniphan & Baldwin, and offered in payment a tract of land in Jackson county.

Doniphan told him that his partner, Mr. Baldwin, was absent at the moment, but as soon as he had an opportunity he would consult him and decide about the matter. When the Jackson county man retired, Joseph Smith, who had overheard the conversation, addressed General Doniphan about as follows:

'Doniphan, I advise you not to take that Jackson county land in payment of the debt. God's wrath hangs over Jackson county. God's people have been ruthlessly driven from it, and you will live to see the day when it will be visited by fire and sword. The Lord of Hosts will sweep it with the besom of destruction. The fields and farms and houses will be destroyed, and only the chimneys will be left to mark the desolation.'

General Doniphan said to me that the devastation of Jackson county forcibly reminded him of this remarkable prediction of the Mormon Prophet.

Yours, sincerely,

Signed. L. M. LAWSON.⁶

In a letter from Mr. A. Saxey of Spanish Fork, Utah, to Mr. Junius Wells treating further of the fulfillment of this prophecy, so well attested, Mr. Saxey under date of Aug. 25, 1902, says:

*"In the spring of 1862, my regiment went south, and it was during that time that "Order No. 11" was issued, but I was back there again in 1864, during the Price raid, and saw the condition of the country. The duty of executing the order was committed to Col. W. R. Penick's regiment, and there is no doubt but that he carried it into effect, from the howl the copperhead papers made at the time. I went down the Blue river, we found houses, barns, outbuildings, nearly all burned down, and nothing left standing but the chimneys which had, according to the fashion of the time, been built on the outside of the buildings. I remember very well that the country look a veritable desolation."*⁷

There can be no question then but what Joseph Smith pre-

6. The above is from a letter of Mr. Lawson's under date of "New York City, Feb. 7th, 1902," addressed to "Mr. Junius F. Wells." Mr. Wells published Mr. Lawson's letter *in extenso* in the *Improvement Era* (Utah), of November, 1902, Vol. VI, in an article under the Caption "A Prophecy and Its Fulfillment."

7. Mr. Saxey's letter to Mr. Wells is given *in extenso* in *Improvement Era*, Vol. VI, p. 10.

dicted retribution upon Missouri for the injustice she practiced towards the Latter-day Saints; for the violation of her own laws and constitution. She had sown the wind, and must reap the whirlwind. I here submit the evidence in the case:

By the political compromise which bore her name, Missouri became a "cape of slavery thrust into free territory." Except for the state of Missouri alone, her southern boundary line was to mark the furthestmost point northward beyond which slavery must not be extended into the western territory of the United States. In 1854, however, the Missouri compromise was practically overthrown by the introduction into Congress of the "Kansas-Nebraska Act," by Stephen A. Douglas, United States senator from Illinois. This act provided for the organization of two new territories from the Louisiana purchase, west of Missouri and Iowa. The act proposed that the new territories should be open to slavery, if their inhabitants desired it. This left the question of slavery in the status it occupied previous to the Missouri Compromise, and left the people in the prospective states to determine for themselves whether slavery should or should not prevail in their state. This opened again the slavery question, and there was begun that agitation which finally resulted in the great American War between the states.

As soon as it became apparent that the people of new territories were to determine for themselves the question of slavery, each party began a struggle for possession of the new territory according as its sentiments or interests dictated. The struggle began by the abolition party of the north organizing "Emigrant Aid Societies," and sending emigrants of their own faith into Kansas. The slave holders of the South, but chiefly of Missouri, also sent settlers representing their faith and interests into the new territory in the hope of bringing Kansas into the Union as a slave state. This brought on a border warfare in which the settlements of western Missouri and eastern Kansas alternately suffered from the raids and counter raids of the respective parties through some six years before the outbreak of the national war. As to which were the more lawless or cruel, the fanatical abolitionists or the pro-slavery party, the "jayhawkers," as the organized bands of ruffians of the former party



Civil War, as Realized in the Desolation of the Border Counties of Missouri, During the Operation of General Orders No 11. It Illustrates the Fulfillment of Joseph Smith's Prophecy respecting Jackson County, Missouri. See page 1167

were called, or the "bushwhackers," as the similarly organized bands of the pro-slavery men were called, is not a question necessary to be discussed here. Both held the laws in contempt, and vied with each other in committing atrocities. The western counties of Missouri, where the Latter-day Saints had suffered so cruelly at the hands of the people of those counties some eighteen or twenty years before, were in this border warfare and sorely distressed. The hardships the Missourians had inflicted upon the Saints were now frequently visited upon their heads, only more abundantly.

Brigadier-General Daniel M. Frost, who had been employed in repressing lawlessness in the western counties of Missouri, in reporting conditions prevailing there in November, 1860, said:

"The deserted and charred remains of once happy homes, combined with the general terror that prevailed amongst the citizens who still clung to their possessions, gave but too certain proof of the persecution to which they had all been subjected, and which they would again have to endure, with renewed violence, so soon as armed protection should be withdrawn."⁶

"In view of this condition of affairs," continues the historian of Missouri I am quoting, "and in order to carry out fully Governor Stewart's order to repel invasions and restore peace to the borders, General Frost determined to leave a considerable force in the threatened district. Accordingly, a battalion of volunteers, consisting of three companies of rangers and one of artillery,⁷ was enlisted, and Lieutenant-Colonel John S. Bowen, who afterwards rose to high rank in the Confederate service, was chosen to the command:

"With the organization of this force, and perhaps owing also, in some degree, to the inclemency of the season, 'jayhawking,' as such, came to an end, though the thing itself, during the first two or three years of the Civil War, and, in fact, as long as there was anything left on the Missouri side of the border worth taking, flourished more vigorously than ever. The old jayhawking leaders, however, now came with United States commission in

6. "American Commonwealths, Missouri," p. 258.

7. "American Commonwealths, Missouri," p. 258.

their pockets and at the head of regularly enlisted troops, in which guise they carried on a system of robbery and murder that left a good portion of the frontier south of the Missouri river as perfect a waste as Germany was at the end of the Thirty Years' War.'"⁸

Speaking of the situation in Missouri in 1861, the out-ging Governor, Robert M. Stewart, in his address to the legislature, and referring to Missouri and her right to be heard on the slavery question, said:

"Missouri has a right to speak on this subject, because she has suffered. Bounded on three sides by free territory, her border counties have been the frequent scenes of kidnapping and violence, and this State has probably lost as much, in the last two years, in the abduction of slaves, as all the rest of the Southern states. At this moment several of the western counties are desolated, and almost depopulated, from fear of a bandit horde, who have been committing depredations—arson, theft, and foul murder—upon the adjacent border."⁹

While this description confines the scenes of violence and rapine to the border counties south of the Missouri river,—it included Jackson county, however, which was one of the heaviest sufferers both in this border warfare and subsequently during the Civil War—still, the counties north of that stream also suffered from lawlessness and violence.

At the outbreak of the Civil War Missouri was peculiarly situated. The great majority of her own people were for the Union, but her government, with Clairborne Jackson as the State executive, was in sympathy with the South. As the extreme southern states one after another seceded from the Union, Missouri was confronted with the question: What position she ought to assume in the impending conflict. The question was referred to a State convention in which appeared no secessionists. Indeed, the people of Missouri in this election by a majority of eighty thousand decided against secession. The convention, in setting forth the attitude of the State on the subject, said that Missouri's position was, "Evidently that of a State

8. "American Commonwealths, Missouri," p. 259.

9. "The Fight for Missouri," (Snead) p. 14.

whose interests are bound up in the maintenance of the Union, and whose kind feelings and strong sympathies are with the people of the Southern states, with whom we are connected by ties of friendship and blood. We want the peace and harmony of the country restored, and we want them with us. To go with them as they are now * * * is to ruin ourselves without doing them any good.”¹⁰

While this doubtless voiced the sentiment of a great majority of Missouri's people, the government of the State and many of thousands of its inhabitants sympathized with the South. The general assembly of the State authorized the raising and equipment of large military forces held subject, of course, to the orders of the Governor, under the pretense of being prepared to repel invasion from any quarter whatsoever, and enable the State to maintain a neutral attitude. The Governor refused to raise Missouri's quota of four regiments under President Lincoln's first call for seventy-five thousand men to suppress the rebellion, on the ground that these regiments were intended to form “part of the President's army, to make war upon the people of the seceded states.” This he declared to be illegal, unconstitutional, and therefore an order with which he could not comply. This precipitated a conflict between the State and national forces that resulted in a civil war within the State since some of her citizens sided with the general government and some with the State.

“We are now,” says Horace Greeley, in his “American Conflict,” and commenting upon this situation in Missouri—

“We are now to contemplate more directly the spectacle of a State plunged into secession and civil war, not in obedience to, but in defiance of, the action of her convention and the express will of her people—not, even by any direct act of her legislature, but by the will of her executive alone. * * * The State school fund, the money provided to pay the July interest on the heavy State debt, and all other available means, amounting in the aggregate to over three millions of dollars, were appropriated to military uses, and placed at the disposal of [Governor] Jackson, under the pretense of arming the State against any emer-

10. “American Commonwealths, Missouri,” p. 288.

gency. By another act the Governor was invested with despotic power—*even verbal opposition to his assumptions of authority being constituted treason*; while every citizen liable to military duty was declared subject to draft into active service at Jackson's will, and an oath of obedience to the State executive exacted."

On the 20th of April, 1861, the State militia under the Governor's orders captured the Federal arsenal at Liberty, Clay county, and in the nineteen months following that event "over three hundred battles and skirmishes were fought within the limits of the State;" and it is assumed that in the last two years of the war, there were half as many more; "and it may be said of them," continues our historian, "that they were relatively more destructive of life, as by this time the contest had degenerated into a disgraceful internecine struggle."¹¹

General John C. Fremont, August 31, 1861, then in command of the western department of the forces of the United States, declared martial law in the State of Missouri. In justification of this act he said:

"Circumstances, in my judgment of sufficient urgency, render it necessary that the Commanding General of this Department should assume the administrative powers of the State. Its disorganized condition, the helplessness of its civil authority, the total insecurity of life, and the devastation of property by bands of murderers and marauders, who infest nearly every county in the State, and avail themselves of the public misfortunes and the vicinity of a hostile force, to gratify private and neighborhood vengeance, and who find an enemy wherever they find plunder,—finally demand the severest measures to repress the daily increasing crimes and outrages, which are driving off the inhabitants and ruining the State. In this condition, the public safety and the success of our arms require unity of purpose: without let or hinderance, to the prompt administration of affairs.

"In order therefore, to suppress disorders, to maintain as far as now practicable the public peace, and to give security and protection to the persons and property of loyal citizens, I do hereby extend, and declare established, martial law throughout the State of Missouri. The lines of the army of occupation in this State are for the present declared to extend from Leavenworth,

11. "American Commonwealths, Missouri," p. 342.

by way of the posts of Jefferson City, Rolla and Ironton, to Cape Girardeau, on the Mississippi river.

“All persons who shall be taken with arms in their hands within these lines shall be tried by court-martial, and if found guilty, will be shot.”

Upon the subject of the slaves, in the same proclamation, the General says:

“The property, real and personal, of all persons in the State of Missouri who shall take up arms against the United States, and who shall be directly proven to have taken active part with their enemies in the field, is declared to be confiscated to the public use; and their slaves, if any they have, are hereby declared free men.”

In August, 1863, the celebrated “Order No. 11” was issued from Kansas City by General Thomas Ewing. By this “Order”—

“All persons living in Cass, Jackson, and Bates counties, Missouri, and in that part of Vernon included in this district, except those living within one mile of the limits of Independence, Hickman’s Mills, Pleasant Hill, and Harrisonville, and except those in that part of Kaw township, Jackson county, north of Brush creek and west of the Big Blue, embracing Kansas City and Westport, are hereby ordered to remove from their present places of residence within fifteen days from the date thereof. Those who, within that time, establish their loyalty to the satisfaction of the commanding officer of the military station nearest their present place of residence, will receive from him certificates stating the fact of their loyalty, and the names of the witnesses by whom it can be shown. All who receive such certificates will be permitted to remove to any military station in this district, or to any part of the State of Kansas, except the counties on the eastern borders of the State. All others shall remove out of this district. Officers commanding companies and detachments serving¹² in the counties named will see that this paragraph is promptly obeyed.”

The admonition in the last clause to commanding officers was rigidly followed; and within the district named scenes of violence and cruelty were appalling. This order with its cruel exe-

12. “History of Caldwell and Livingston Counties,” p. 51.

cution has been more severely criticized than any other act during the Civil War. The justification for it has been urged on the ground that Jackson county afforded a field of operations for Confederates; that here the bushwacking marauders recruited their forces, and found the means of support; that the policy was necessary on the ground of putting an end to that kind of warfare. On the other hand, it is contended that "tried by any known standard," the people in that section of Missouri were as loyal to the Union as were their neighbors in Kansas. "They had voted against secession; they had not only, thus far, kept their quota in the Union army full, and that without draft or bounty, but they continued to do so; and if they did not protect themselves against the outrages alike of Confederate bushwackers and Union jayhawkers, it was because early in the war they had been disarmed by Federal authority and were consequently without the means of defense."¹³

By the execution of the order, however, the people in the districts named "were driven from their homes, their dwellings burned, their farms laid waste, and the great bulk of their movable property handed over, without let or hindrance, to the Kansas 'jayhawkers.' It was a brutal order, ruthlessly enforced, but so far from expelling or exterminating the guerrillas, it simply handed the whole district over to them." "Indeed," continues Lucien Carr, "we are assured by one who was on the ground, that from this time until the end of the war, no one wearing the Federal uniform dared risk his life within the devastated region. The only people whom the enforcement of the Order did injure were some thousands of those whom it was Ewing's duty to protect."¹⁴

Whether justified or not by the attitude of the Jackson county people in the Civil War, the execution of "Order No. 11" certainly was but a re-enactment, though upon a larger scale, of those scenes which the inhabitants of that section of the country thirty years before had perpetrated upon the Latter-day Saints in expelling them from Jackson county. The awful scenes then enacted inspired the now celebrated painting by G. C. Bingham,

13. "American Commonwealths, Missouri," p. 351.

14. *Ibid.*, p. 351.

bearing the title "Civil War," and dedicated by the artist "to all who cherish the principles of civil liberty," a photogravure reproduction of which accompanies this chapter.

In the fall of 1864, General Sterling Price penetrated the State at the head of twelve thousand men; captured Lexington, in Ray county, and Independence, in Jackson county, and thence made his escape into Arkansas. "In the course of this raid he marched 1,434 miles, fought forty-three battles and skirmishes, and according to his own calculation destroyed upwards of 'ten million dollars worth of property,' a fair share of which belonged to his own friends."¹⁵

That a just retribution overtook the entire state, as well as the inhabitants of Jackson county, and other western counties, I think must be conceded by all who are familiar with the events of Missouri's history in the Civil War. That which she did to an inoffensive people was done to her inhabitants, especially to those living within the districts formerly occupied by the Latter-day Saints; only the measure meted out to the Missourians was heaped up, pressed down, and made to run over.

The Western Missourians had complained that the Latter-day Saints were eastern men, whose manners, habits, customs, and even dialect were different from their own;¹⁶ but the Misourians lived to see great throngs of those same eastern men flock into an adjoining territory and infest their border, so that the settlers of western Missouri became accustomed to, and learned to endure the strange manners, customs and dialects so different from their own.

The Western Missourians complained of the rapidity with which the Saints were gathering into the State to establish their Zion; but the Missourians lived to see hordes of the detested easterners gather into their region of country by continuous streams of emigrant trains, sent there by "Emigrant Aid Companies" of New England.

The western Missourians falsely charged that the coming of

15. History of Missouri, Carr, p. 360. General Price was the Colonel Sterling Price who held the Prophet Joseph in custody at Richmond in 1838, who shackled the brethren and whose scurrilous guards were so severely rebuked by the Prophet — See *ante* chapter XXXI.

16. Minutes of Citizen Meeting, Liberty, Clay county, Documentary History of the Church, Vol. III, p. 450.

“Zion’s Camp” into Missouri to aid their brethren to repossess their homes in Jackson county, was an armed invasion of the State; but the western Missourians lived to see formidable hosts of eastern and northern men gather upon their frontiers and frequently invaded the State.¹⁷

The western Missourians had falsely charged the Saints with abolition madness, with tampering with their slaves, with inviting free negroes into the State to corrupt their blacks, whose very presence would render their institution of slave labor insecure; but the men of Western Mission lived to see their system of slave labor abolished by the setting free of some one hundred and fifteen thousand slaves, valued at \$40,000,000, eight thousand of whom were “martialled and disciplined for war” in the Federal armies, and many of them marched to war against their former masters.

Governor Dunklin and his advisors in the government of Missouri claimed that there was no warrant of authority under the laws and constitution of the State for calling out a permanent military force to protect the Saints in the peaceful possession of their homes until the civil authority proved itself competent to keep the peace and protect the citizens in the enjoyment of their guaranteed rights; but the people in the western part of

17. “The character of much of this emigration may be gathered,” says one historian, “from the fact that the Kansas Emigration Societies, Leagues and Committees * * * sent out men only;” and that in some of their bands *Sharp’s rifles were more numerous than agricultural implements.*” (History of Missouri, Carr, p. 343. Note.)

Of course the “Blue Lodges” of Missouri organized largely on the same principle as the “Emigrant Aid Companies” of New England, and adopted practically the same methods, expecting to add Kansas to the list of slave States. But “certainly,” remarks Lucien Carr, “if a company of so called northern emigrants, in which there were two hundred and twenty-five men and only five women, whose wagons contained no visible furniture, agricultural implements or mechanical tools, but abounded in all the requisite articles for camping and campaigning purposes, were considered as bona fide settlers and permitted to vote, there could not have been a sufficient reason for ruling out any band of Missourians who ever crossed the border and declared their intention of remaining, even though they left the next day.”¹⁸

18. History of Missouri, Carr, 245.

Among the men sent to the borders of Missouri by the “Emigrant Aid Companies” of New England were some of the most desperate adventurers; and the Missourians who had pretended to be alarmed at the coming of “Zion’s Camp,” and feigned to regard it as an armed invasion of the State, saw their State repeatedly invaded—especially Jackson county—by the bands of Union “jayhawkers” organized from among these desperate eastern and northern men, who ruthlessly laid waste their homes and farms.

Missouri saw the time come when they themselves prayed for the same protection; and Governor Stewart, unlike Governor Dunklin, approved the appointment of a battalion of volunteers consisting of three companies of rangers and one of artillery, all of which were placed under command of Lieutenant-Colonel John L. Bowen, to do the very thing the Saints had prayed might be done in their case.¹⁹ But even this provision for their protection did not avail; for their old jayhawking enemies soon reappeared under new conditions—which will be stated in the next paragraph—under which they renewed their incursions of rapine and murder.

The state authorities of Missouri converted the mobs which had plundered the Saints, burned their homes and laid waste their lands, into the state militia, which gave the former mob a legal status, under which guise they plundered the Saints, compelled them to sign away their property and agree to leave the State. To resist this mob-militia was to be guilty of treason. But the people of western Missouri lived to see a like policy pursued towards themselves. They suffered much in Jackson and other western counties in the border war, previous to the opening of the Civil War, from the inroads of abolition "jayhawkers" in the interest of anti-slavery. For a time this was in part suppressed by the State militia under General Frost and by the permanent force stationed on the border under Lieutenant-Colonel Bowen. But later, and when the Civil War broke out, these old jayhawking leaders "now came with United States commissions in their pockets, and at the head of regularly enlisted troops, in which guise they carried on a system of robbery and murder that left a good portion of the frontier south of the Missouri river as perfect a waste as Germany was at the end of the Thirty Years War."²⁰

Such wretches as Generals Lane and Jennison, though Union officers, and denounced alike by Governor Robinson of Kansas—of course a strong Union man—and General Halleck,²¹ com-

19. History of Missouri, Carr, p. 158.

20. History of Missouri, Carr, p. 259.

21. General Halleck when he learned that the "jayhawking" leader, Lane, had been promoted to the command of a brigade, declared that such an appointment was "offering a premium for rascality and robbing generally;" and that it would "take twenty thousand men to counteract its effect in the state." History of Missouri, Carr, p. 348.

mander-in-chief of the western armies of the Union, were permitted to disgrace alike the Union cause and our human nature by their unspeakable atrocities. But they were retained in office, nevertheless. It was the outrages committed by these men and their commands, and the Kansas "Red Legs" that led to the equally savage reprisals on the people of Kansas. In revenge for what western Missouri had suffered, out-lawed Missourians sacked Lawrence, Kansas, a Union city, massacred one hundred and eighty-three of its inhabitants, and left it in flames. In justification of their act of savagery, they declared: "Jennison has laid waste our homes, and the 'Red Legs' have perpetrated unheard of crimes. Houses have been plundered and burned, defenseless men shot down, *and women outraged*. We are here for revenge—and we have got it."²² How nearly this language of the Missourians—and there can be no question that it describes what had been done in Missouri by Lane, Jennison, and their commands, and the Kansas "Red Legs"—²³follows the complaint justly made by the Latter-day Saints years before against the Missourians! But thank God, there is recorded against the Saints no such horrible deeds of reprisal.

The Western Missourians falsely charged that the Saints held illicit communication with the Indian tribes then assembled near the frontiers of the State, and pretended to an alarm that their State might be invaded by the savages, prompted thereto by "Mormon" fanaticism; but these same Missourians lived to see cause for real fear of such an invasion when the Governor of an adjoining State—Arkansas—authorized Brigadier General Albert Pike to raise two mounted regiments of Choctaw and Chickasaw Indians to actually invade the State. These regiments of savages were engaged in the battle of Pea Ridge, on the southwest borders of Missouri, General Pike, who led them in that battle, dressed himself in gaudy, savage costume, and wore a large plume on his head—*a la Niel Gilliam at Far West*—to please the Indians. It is also charged that before the battle of

22. Spring's "Kansas," p. 287.

23. These were bands of Kansas robbers, whose custom it was at intervals to dash into Missouri, seize horses and cattle—not omitting other and worse crimes on occasion—then to repair with their booty to Lawrence, where it was defiantly sold at auction." History of Missouri, Carr, p. 348.

Pea Ridge, he maddened his Indians with liquor "that they might allow the savage nature of their race to have unchecked development. In their fury they respected none of the usages of civilized warfare, but scalped the helpless wounded, and committed atrocities too horrible to mention." The "fear" expressed by the Missourians respecting the alleged illicit communication of the Saints with the Indians was mere feigning, but with this example before them, and knowing that there were many thousands of Indians on their frontiers that might be similarly induced to take up arms, their former feigned fears became real ones.

The Missourians instead of demanding the execution of the law in support of the liberties of the Saints, expressed the fear that the presence of the Saints would give rise to "Civil War," in which none could be neutrals, since their homes must be the theatre on which it would be fought, so they drove the Saints away; but the Missourians lived to see the outbreak of a Civil War in their State that was one of the most appalling men ever witnessed; and Missouri, when all things are considered, and especially Western Missouri, suffered more than any other State of the Union. In other states the war lasted at most but four years; but counting her western border warfare in the struggle for Kansas, the war was waged in Western Missouri from 1855 to 1865, ten years; and for many years after the close of the Civil War, a guerrilla warfare was intermittently carried on by bands of outlaws harbored in Western Missouri—especially in Jackson, Ray, Caldwell and Clay counties—that terrorized the community and shocked the world by the daring and atrocity of their crimes—including bank robberies in open day, express train wrecking and robberies, and murders. Not until 1881 was this effectually stopped by the betrayal and murder of the outlaw chief of these bands.

Missouri sent into the Union Armies one hundred and nine thousand of her sons, including eight thousand negroes. About thirty thousand enlisted in the confederate army. According to official reports the percentage of troops to population in the western states and territories was 13.6 per cent., and in the New England states 12 per cent.; whilst in Missouri, if there be added to her quota sent to the northern army the thirty thousand sent

to the confederate army, her percentage was fourteen per cent., or sixty per cent. of those who were subject to military duty. Of the deaths among these enlisted men, only approximate estimates may be made, since of the mortality among the Confederates no official records were kept. But of those who entered the Union service thirteen thousand eight hundred and eighty-five deaths are officially reported. The rate of mortality in the Confederate forces, owing to the greater hardships they endured, and the lack of medical attendants to care for the wounded, was much higher, and is generally estimated at twelve thousand, (most of whom were from Western Missouri), which added to the deaths of those in the Union army would aggregate the loss among the troops from Missouri to twenty-five thousand eight hundred and eighty-five. "This estimate" says Lucian Carr, "does not cover those who were killed in the skirmishes that took place between the home guards and the guerrillas; nor does it include those who were not in either army, but who were shot down by the "bushwackers" and "bushwacking" Federal soldiers. Of these latter there is no record, though there were but few sections of the State in which such scenes were not more or less frequent. Assuming the deaths from these two sources to have been 1,200, and summing up the results, it will be found that the number of Missourians who were killed in the war and died from disease during their term of service amounted to not less than 27,000 men."

The loss in treasure was in full proportion to the loss in blood. The State expended \$7,000,000 in fitting out and maintaining her Union troops in the field. She lost \$40,000,000 in slave property; and four years after the close of the war—two of which, 1867-8, were remarkably prosperous—the taxable wealth of the State was \$46,000,000 less than it was in 1860. "In many portions of the State," says the historian to whom I am indebted for so many of the facts relating to Missouri in these pages, 'especially in the southern and western borders, whole counties had been devastated. The houses were burned, and the fences destroyed, and the farms laid waste. Much of the live stock of the State had disappeared; and everywhere, even in those sections that were comparatively quiet and peaceful, the quantity of land in culti

vation was much less than it had been at the outbreak of the war. Added to these sources of decline, and in some measure a cause of them, was the considerable emigration from the State which now took place, and particularly from those regions that lay in the pathway of the armies, or from those neighborhoods that were given over to the "bushwackers." The amount of loss from these different sources cannot be accurately gauged, but some idea may be formed of it, and of the unsettled condition of affairs, from the fact that only 41 out of the 113 counties in the State receipted for the tax books for 1861; and in these counties, only \$250,000 out of the \$600,000 charged against them were collected."

This only in a general way indicates the losses in property sustained by the State during the period under consideration, but it assists one to understand somewhat the enormity of those losses.

It is true, of course, that in any event Missouri must have participated in the war between the States; and situated as she was, and her people divided in their sympathies between the North and the South would suffer beyond other States. But what immeasurably added to her suffering, and especially to the suffering of western Missouri, was the spirit of lawlessness, rapine, murder and mobocracy engendered in the minds of the inhabitants of that section of the State, by their treatment of the Latter-day Saints, and the course the State pursued with reference to them.²⁴

²⁴. On this point the late George Q. Cannon remarked in his "Life of Joseph the Prophet."

"Poor Missouri atoned with rivers of blood and tears for her sin against herself in permitting the executive to usurp unlawful authority. The precedent of Bogg's exercise of power was handed down. In the day of the persecution of the Saints, a court had decided that belief in the Bible was treason against the government. The idea had moved with terrible momentum; for there we find in 1861, that, "even verbal opposition to the governor's assumption of authority was constituted treason."

"It is true that with any kind of a population Missouri must have taken part either for or against the Union; but it is also true that the existence within her boundaries of thousands of lawless wretches who loved plunder and rapine, largely increased her sufferings. The entire state was punished for permitting the massacre of the Saints to go unchecked and for encouraging the spirit of plunder by rewarding the mobocrats with money from the state treasury. Men learned to live by murder and rapine. It cost Missouri dearly to get rid of the evil, but happily for her much of the bad element was eliminated. Many of the old mobocrats suffered all the tortures which they had inflicted.

It is in no spirit of gloating exultation that the foregoing facts in Missouri's history are referred to here. It gives no gratification to the writer to recount the woes of Missouri, and his hope is that it will give none to the reader. These facts of history are set down only because they are valuable for the lesson they teach. It may be that visible retribution does not always follow in the wake of state or national wrong-doing; but it is well that it should sometimes do so, lest men should come to think that Eternal Justice sleeps, or that she may be thwarted, or, what would be worst of all, that she does not exist. I say it is well, therefore, that sometimes visible retribution should follow state and national as well as individual transgressions, that the truth of the great principle that "as men sow, so shall they reap," may be vindicated. Missouri in her treatment of the Latter-day Saints during the years 1833-9, sowed the wind; in the disastrous events which overtook her during the years 1855-80 she reaped the whirlwind. Let us hope that in those events Justice was fully vindicated so far as the State of Missouri is concerned; and that the lessons of her sad experience may not be lost to the world.

"But Missouri largely purged herself of the vile element, and after the strife was ended better men and better sentiments came into the ascendency. Some of the men who had been averse to mobocratic violence against the Latterday Saints believed that retribution would come. They lived to see the day of atonement and to participate in a local reconstruction and a restoration of better things."

(To be continued.)

HERALDIC CONSIDERATIONS

GENERAL EUROPEAN NOBILITY AND ITS HERALDRY

BY THE VISCOUNT DE FRONSAC

THE dream of Heraldry is the pomp of Power. Co-extensive with the definite rank and feudal function of the Aryan-Goths in Europe has been the definiteness of their feudal Heraldic Art.

In glancing with comprehensive mein over the early history of feudal Europe and the British Isles, it will be seen that the birth-place of every Royal House, now arrogating to itself either absolutely or in the name of the people, through a parliamentary ministry, prerogative and right to create a "nobility" and to govern without one, was in the ranks of the nobility itself as an humble member thereof. The Imperial Hapsburghs of Austria were counts in the XIII Century. The Royal Family of old France traces only to Hugh Capet, Count of Paris in the IX Century. The Plantagenets of England were feudatories of the Kings of France in the XI Century as Counts of Anjou; so were William and his father, the Dukes of Normandy. The Tudors in the XV Century were of the untitled Welsh nobility. The Romanoffs of Russia are lost in the XII Century among the knightly burghers of Germany. The Stuart of Scotland owed their name to the appointment of their ancestor, Sir Robert Fitz-Alan—a Norman Knight—to the office of Lord-High Steward of Scotland after the reign of David Bruce. The Bruce themselves were among the Franco-Norman nobility that came over with William, the Conqueror. The Guelphs of Hanover, before coming to the British Throne, were of less actual importance than the Douglasses, Hamiltons, Percies, Nevilles and Mowbrays of an earlier day. Every one of these sovereign families were of the nobility of their respective countries at

the beginning of their national careers. In reality they were only either the presidents, or secretaries of their aristocratic colleagues.

In Spain—to show their equality with the sovereign, the Grandees wear the hat in the sovereign's presence—and why not? Whence derive the sovereign his might, majesty, prerogative and dominion but from the bucklers, the shields of the nobles on which his predecessors had been elevated to illustrate on what basis they stood?

The only superior in rank that these sovereign families had was the Germanic Emperor of the Romans. When the early Roman Emperors ceased to have military power, during the Middle Ages, these families became sovereign and independent on the lands which they had held of the Empire by military tenure.

After becoming independent, they met together, as in France, to choose a leader. In this manner was Hugh Capet, Count of Paris, chosen King by the free-barons of France in the IX Century. But he never dreamed of exercising any other authority than that of chief-of-staff of these his Peers. He could not deprive one of them of his domain, because their ancestors had held that domain of the Gothic Empire whose military power had passed to them in the feudal system of that Empire.

This land of the nobles, because belonging to them under the feudal system was administered according to the law of the nobility and was therefore deemed noble. But this system did not arise either in Germany (where land had been divided periodically), or in the old Roman Empire (where land was administered according to the principles of the Civil Code. The system arose under the Franco-Gothic Empire that was superposed over the remains of the old Roman Empire, where the duty of the Antrustian, or Frankish noble, in possessing land, was in confederating his power to that of the Emperor, and the duty of the Emperor in this confederation regarded as sacred as his own, the sovereign prerogative in their domains of these nobles thus confederated in the Empire, and the hereditary components of its council. Any falsification of these ob-

ligations was not only a relief from the fealty implied, but a derogation of honor on the part of the falsifier.

Heraldry itself, in its chief office, demanded the fulfillment of these obligation as its first necessity. The shield of him who had proven his loss of inherent honor in this sense, was reversed and his nobility, in its political consideration ceased with this proof of its moral loss and derogation.

After it became complete in Europe, Heraldry conformed in every particular to the social and political divisions of the ancient world. As the symbolic circle gave birth to the ring and crown-emblems of the unity and continuity of power—; as each of the degrees of rank gave an Ordinary to Heraldry, so did the classes of the state add their distinction. When Heraldry came into being with the Franks, because they held the military command of the Empire, the military profession formed the first rank. “Ennoblement by the possession of fiefs alone was regarded as an usurpation * * * while the military profession continued to be privileged up to the commencement of the XVII Century—even for those who did not possess feudal domain.”—D. Avenel, “*La Noblesse Sous Richelieu*,” p. 8.

Again it must be understood, that the king himself, as he could not confer nobility, could not confer Heraldry which was the symbolization of nobility. The Aryan Franks, who were the nobles, united their estates to form the kingdom and to reconstitute the Empire. They conceded the power of general government to him whom they chose as chief executor, king or Emperor. They reserved for themselves the absolute sovereignty of their own estates, on whose autonomous sovereignty the general constitution was erected. It is a fundamental principle of juridical ethics that a derivative sovereignty can claim no constitutional prerogative to destroy the fundamental and constitutive sovereignties from whose act alone it derives its own legitimacy.

“It was a declaration of legal weight in the XVI Century that our princes are made neither by the Church nor by the people, but by the Noblesse alone, of whom they are but the first gentlemen.”—D. Avenel, “*La Noblesse Française Sous Richelieu*,” p. 13.

As has been said, this nobility had the military profession for its function in the state—even when not possessed of feudal lands. “The nobility served in the army in a great majority but not without exception, yet all without exception were exempt from poll-tax. If they were excused from this tax, it was not because they served in the army but because they were nobles.” “The privilege was not for service rendered, but was a birth-right.” —D. Avenel, “*La Noblesse Française Sous Richelieu*,” p. 23.

Again to show that noblesse-de-race was the predominating feature, the Ordonnance of 1629 enjoins on gentlemen to sign the NAME OF THEIR FAMILIES AND NOT THAT OF THEIR SEIGNEURIES.

It is true that a “gentleman lost his title in selling his barony, but he could not alienate his nobility.”—D Avenel, *ibid*, p. 96.

It was absolutely necessary to keep the race pure in order to maintain its supremacy and its prerogative. The law against intermarriage with inferior races, or classes, in the state was very severe. It declares that —“A noble woman married to a non-noble ceased to enjoy, even in her own person the privileges of noblesse.”—D. Avenel, *ibid*, p. 114.

In the course of time, however, as intermarriages between court-lawyers, scribes grown rich by much recording, and servants of the king, who knew the secret entrance to the Royal preserves, with the daughters of needy nobles, a test of blood was invented which consisted in showing proof of sixteen ancestors, each of which was from an armiger, or one entitled to bear the shield of noblesse-de-race. This constituted the sixteen quarterings, the possession of which was considered proof of inherant nobility. Who ever had 32 quarterings received extraordinary honors in Germany.

Thus Heraldry demonstrated another of its functions—that of showing purity of blood in the families of its possessors. When they lost this purity of blood by non-heraldic ancestry, they ceased to be noble; they could not claim exclusive right of representation in the council of the state. In France up to the time of the Revolution in 1792, the poorest noble had right of representing the noblesse in the States-General of the king-

dom, whereas a separate corps, the noblesse exercised the greatest power in the state when in convention.

In ancient Flanders the law of nobility declared, that if a noble married the daughter of a plebian, the children of that marriage should not inherit their father's nobility.

While if the daughter of nobility married the son of a peasant the children of that marriage followed their father's condition. The struggle of the Aryan Goths and Franes to maintain the purity of their blood, which constituted the nobility of their race, was continued along these lines, viz.:—I, the absolute control of their Heraldry; II, the control of the Council of the Empire, of the kingdom, of the state, which was theirs by right of inheritance according to the constitution; III, the maintenance of the laws of *caste* against intermarriage with mongrel races; IV, the test of blood at a minimum of sixteen feudal quarterings; V, the preservation of their territorial domain and the laws of succession thereto.

But one by one, these their distinct and self-created rights in the state, which state owed its very beginning to the valor and integrity of their race, were curtailed and effaced.

The king, in the desire of forming a party stronger than the noblesse, of which he was but the chief, gave armorials to his house-hold servants contrary to the sacred oath and absolutely illegal, since blasonry was for the noblesse alone—the king's servants were not noble, and the king's act could only make them *annobli*. These *annobli* he admitted to the council; on them he conferred land in noble tenure. But the class that they formed has never been considered a part of the noblesse, except in England. There is a great distinction and a wide gulf fixed by race-currents between the noblesse and the *annobli*. Among these differences fixed were, among others, the manner of titles. The titles of the noblesse were prescriptive, belonging to race alone and were of feudal origin. The titles of the *annobli* were adventitious and affixed for authenticity by letters-patent of the king, or court. Another difference was that of bearing arms. After the illegal, or bestowed arms had, through possession of a term of years acquired a quasi legality, four divisions were made of all arms, viz.:—

I Arms of race-origin.

II Arms of assumption, or those which a noble took afterwards to show his claim to some title of territorial sovereignty.

III Arms of dominion, or those which are the sign manual of states, kingdoms and principalities. These arms are not the property of the family exercising the sovereignty, but of the sovereign state. The family-arms of the Stuart kings of Scotland are different from the arms of Scotland, so are the family-arms of the ruling house of England different from those of England, etc.

IV Arms of concession are those granted by some Royal Personage, or court, to individuals whom they wish to change—like as with the wand of a magician—to ennoble; or to a corporation, bishopric, etc.

These arms of concession gave birth to many innovations in the ancient Heraldry. Thus, the families of those who were appointed magistrates in the places of the ancient feudal seigneurs were admitted to bear arms.

The book, the Mitre, the Key and the Lawn-sleeve were objects of this heraldry.

The Book speaks for itself; it was appropriate to institutions of learning and placed in the arms of colleges.

The Key is a sacred emblem, for the unlocking of mysteries; it is seen in the arms of Bishoprics.

The Lawn-sleeve occurs in the arms of many families derived from the legal profession.

The Mitre is used at the top of the bishop's shield. It resembles the head of the crocodile with the jaws open and pointed upward. It must be understood that the great land for symbolization was Egypt, the land of the Pyramids and of the Sphinx. There, the crocodile was worshiped because he is tongueless—not an inappropriate emblem to be attached to a bishop's mitre! But it was also supposed that the crocodile represented the Deity, for the Deity is speechless concerning those mysteries of the beginning of the World, the ending thereof and the life of man. The crocodile was therefore a sacred emblem and his head, with open jaws, to show his tongueless mouth, was particularly venerated.

Apart from these objects entering the heraldry of the clerical class was a back-ground of furs. The civil magistrate trimmed his robe with ermine.

The furs are of eight kinds, I Ermine, II vair, III counter-vair, IV Ermines, V. Erminois, VI Vair-potent, VII Vair-potent-counterpotent and VIII Pean.

These furs are represented spread out, the Vair and Vair-potent in regular order; the Counter-vair and Vair-potent-counterpotent in reverse order.

Why it is that fur is employed as the badge of civil and religious magistracy may be known from the study of natural symbolization. The possession of the skin of certain animals was supposed to confer the chief attribute of those animals. Most of the pagan priests wore the serpent skin. Others, the skin of the fox. Besides the skin, or fur, was the only adornment remaining to the clerics and sacerdotal class outside the plain clothes of primitive manufacture, because the adornment of arms was the property of the military aristocracy.

It is curious to observe how tenaciously symbols of distinction have continued to run with the blood of the originating race in spite of all hostilities, of changes in the form of society and constitution of government.

In the early days of the Franks, they alone could bear the shield of honor, wear the hair long and take part in the council of their kings.

When the confusion of races admitted those to bear the shield who before were excluded, the noblesse *par excellence* intrenched itself behind genealogical proof and built up landed possession with prerogative of magistracy in its territory.

When those who did not bear the genealogical, physical and mental evidences of noblesse came to be possessed of landed holdings with right of magistracy, then the noblesse demanded certain function to be set aside for those capable of showing sixteen quarterings from noble progenitors.

When these functions in their turn were invaded by those without the required purity of blood and blasonry, orders, or associations, began to spring up, reflecting the primitive con-

federation of the Franes of the Middle-Ages. On the failure of the material wealth of a family, and with the consequent loss of its influence at court, membership in one of these orders served to strengthen it.

It was the custom of the members to wear on the left breast the decoration, or arms, of the order. They attached, in many cases this decoration to the family arms to show the union to which they belonged and of whose strength they constituted a part.

The Order is the most approved organization for securing protection and unity, after the feudality and wealth of its families have failed them.

The Order of Chivalry was the most perfect and the most powerful of all, because it was founded by the noblesse and governed especially by its members, in whose concern no king or parliament had any voice whatever. With its dominance, was the imposition of social ethics and the opposition of disciplined power against the encroachment of court-servants on the one hand, and the ignoble and honorless demagogues of democracy on the other two offspring of the same parentage; the democracy especially, evil-minded, discourteous, dishonest and rampant in those qualities that distinguish and set apart the lowest of mankind. It is this barrier between merit and pretention, honor and hyprerisy, continuity of ancestral belongings and mongrelization of types that Chivalry, and subsequent similar orders were instituted to maintain. The first sytem of nobility was the Aryan and Seigneurial Order of the Empire first established by the Franes in their confederacy, on the land which they had conquered from the Romans, in Gaul and which gave to their posterity a prescriptive right to continue this Order wherever their descendants might come together with the proper heraldic and feudal proofs of right inherent themselves for continuance.

(To be continued.)



THE SITE OF FORT No. 1, SPUYTEN DUYVIL

Now the residence Mr. Wm. C. Muschenheim. (See Historical Views and Reviews)

HISTORIC VIEWS AND REVIEWS

THE STORY OF THE NEGRO PLOT

ONE of the interesting documents recently sold at Merwin-Clayton's was a two-page folio signed by Daniel Horsmanden, who figured so prominently in the so-called negro plot in New York, in 1741, when one-fifth of the city's population of 10,000 persons were negro slaves.

A trifling robbery in March, 1741, was traced to some negroes, and nine small fires occurring soon afterward in different parts of the city, the public mind became greatly alarmed and numerous arrests followed. Large rewards were offered for the arrest and conviction of the guilty. An indentured servant, named Mary Burton, obtained her liberty and a reward of \$500 by pretending to give information of a plot formed by her master and a low tavern keeper with the negroes to burn the city and murder the white people.

This story was corroborated by a woman convicted of a robbery. Other informers appeared, and many arrests were made. Among the victims were John Ury, a schoolmaster and reputed Roman Catholic priest, who, notwithstanding his protestations of innocence, was hanged. Between May 11 and August 22, 154 negroes were arrested, of whom 14 were burned at the stake, 18 were hanged, and 71 were transported. During the same period 24 white persons were arrested, of whom 4 were hanged. Then the Burton woman began accusing prominent persons, known to be innocent, and the panic and reign of terror came to an end.

Horsmanden, as a magistrate, had much to do with the injustice committed, and was so severely criticised that he wrote a "History of the Negro Plot" in an effort to justify his acts.

FRANKLIN TABLETS UNVEILED

Two bronze tablets to the memory of Benjamin Franklin and his wife, Deborah Franklin, were unveiled, on October 29, (1193)

with simple ceremonies, at the old burial ground in Philadelphia in which their graves are located. The tablets were placed at the gateway to the old Quaker cemetery, at Fifth and Arch street, now the center of the business district.

IN HONOR OF THE POLLY

A tablet commemorating the services of the schooner "Polly" for the United States during the War of 1812, was unveiled on board the boat on November 2.

The tablet is the gift of the National Society of the Daughters of 1812, several of whom gathered to pay the honor long due the little former sea-fighter.

The Polly is now the oldest vessel afloat of American register, and, despite her size, for she is only 60 feet in length, was a formidable foe during the privateer days. Her old war log chronicles the capture of 11 prizes, a record equalled by few of the other privateers.

Commanded by her new owner, Capt. J. H. Weldon, the Polly, notwithstanding her age, is engaged in the coastwise trade, and was brought to this port for the ceremony. Boston is her home port.

An interesting spectator was Capt. George W. Homans, of Brooklyn, whose uncle, Jonathan Homans, was killed in an engagement aboard the Polly. There was also present Mrs. L. Montgomery Bond, of Mount Vernon, N. Y. Her grandfather, John Bainbridge Packette, commanded a sister sloop to the Polly, and was killed in the war of 1812.

The Polly was built in Amesbury, Mass., in 1805, and is 61 feet over all. She became a privateer in the war of 1812 and was owned and commanded by Capt. Judthan Upton, a noted seaman of his day. His ancestors were American revolutionists. He fitted out the Polly with two "Long Toms," which were trained over her stern and bow. Her crew of 20 men were armed with pistols and cutlasses.

He sailed from Salem harbor on December 7, 1812, and two days later captured his first prize, a British full-rigged ship. He captured altogether 11 craft of the enemy. The Polly was finally captured by the British frigate Phoebe. When the case

of the Polly was tried before the British High Admiralty Court, Capt. Upton proved that he bought the cargo he carried when captured from Havana, and that the goods had been entered at the Custom House at Marblehead. The court restored the cargo to the neutral claimants. After the war the Polly entered commercial life under the American flag.

TOTTENVILLE RECOVERS ITS NAME

For the second time in history, and, beyond all reasonable doubt, now for all time, Tottenville, Staten Island, is named "Tottenville," having been twice in the course of some 300 years known as Bentley Manor. The latest controversy centred about the famous old Billop mansion, an historic stone pile erected in 1668 by Christopher Billop. Billop called the grant given him by the king, "Bentley Manor," and Bentley Manor the town remained until after the Revolutionary War, when the property which had been taken from the family, because of their Tory sympathies, was renamed Tottenville, in honor of Joseph Totten, one of the patriots of Staten Island.

About a year ago, certain residents of the town, believing that "Bentley Manor" had a more modish sound and would better facilitate real estate development, had the old name restored. To this many of the old residents objected so seriously that they declined to admit defeat. Instead, they organized their forces, framed a counter-petition to the Postmaster-General, and so thoroughly aroused the historic sentiment of the people that they finally succeeded in having the former order revoked and the name Tottenville replaced.

LUNDY'S LANE'S DEAD REINTERRED

The remains of nine unknown American soldiers were uncovered a short time ago during excavations for the base of a monument in Drummond Hill Cemetery, which forms a large part of the battlefield of Lundy's Lane, near Drummondville, Ontario. The soldiers were killed at the battle of Lundy's Lane, on July 25, 1814. Their remains were taken charge of by the Lundy's Lane Historical Society, and placed temporarily in the

vault of the battle monument near the entrance to the cemetery.

By arrangement with the Frontier Landmarks Association of Buffalo they were reinterred by the side of Capt. A. F. Hull, Ninth United States Regiment of Infantry, and other members of that regiment.

Major Edwin P. Pendleton, Twenty-ninth United States Infantry, commandant at Fort Porter, near Buffalo, represented the War Department at the services and a number of officers from Fort Porter and Fort Niagara also were present.

Capt. Hull was appointed a captain in the Twenty-third Infantry on April 14, 1812, and then as a captain in the Ninth Infantry on July 6th, 1812. The Ninth Regiment was raised in Massachusetts, and though a part of the regular army was accredited to that State.

The battle of Lundy's Land was fought on July 25, 1814, between 5,000 American soldiers under Gen. Jacob Brown, and 3,000 British soldiers under Sir George Drummond. The latter occupied high ground on each side of Lundy's Lane, when he was attacked by the Americans. The fighting lasted far into the night, when a final assault was repulsed and the Americans retired to Chippewa with a loss of 858. The British lost 878.

THE MARCH FROM VALLEY FORGE

William S. Pelletreau, of the National Americana Society, supplies us with the following record of the march of the American Army from Valley Forge to White Plains. It is copied from a sergeant's orderly book now in possession of Mr. Walter Brewster, of Brewsters, Putnam County, N. Y. The record is as follows:—

Valley Forge, June 18, 1778. The whole army to march tomorrow morning.

June 19th—Dr. Shannons.

“ 20th—Burlingham.

“ 21st—Coryell's Ferry.

“ 23rd—Hart's House.

“ 25th—Kingston.

“ 26th—Cranberry.

- “ 29th—Freehold. Congratulated on victory Monmouth Court House.
- “ 30th—Englishtown.
- August 1st—Spotswood.
- “ 2nd—Brunswick.
- “ 3rd—Brunswick Landing.
- “ 4th—Raritan Landing.
- “ 7th—Scotch Plains.
- “ 8th—Springfield.
- “ 10th—Second River.
- “ 11th—Sloatstown.
- “ 12th—Paramus.
- “ 14th—Kakiat.
- “ 16th—King’s Ferry.
- “ 19th—To march to White Plains.
- “ 22nd—Wright’s Mills.
- “ 27th—White Plains.

NOTES

The British evacuated Philadelphia June 18th, and Washington immediately started six brigades on their march to the Jerseys and followed with the entire army on the 19th.

“Dr. Shannons” is now Shannonsville, in the town of Lower Providence, Montgomery Co., Pa.

“Burlingham” was “a cross roads hamlet about 10 miles from Coryell’s Ferry,” now Doylestown.

“Coryell’s Ferry” is now Lambertville, N. J. Here they crossed the Delaware River.

“Hart’s House” is at Hopewell, N. J.

“Kingston” is about six miles north or northeast of Princeton.

“Cranberry” is in Mercer Co., N. J., on the Camden and Amboy R. R.

“Freehold” is a well-known locality in Monmouth Co. The battle of Monmouth Court House was fought on Sunday, June 28, 1778.

“Englishtown” about five miles west of Monmouth Court

House, is still known by that name. Washington "left English-town July 1st and reached New Brunswick the following day. The army encamped on both sides of the Raritan River. This march was inconceivably distressing, about 20 miles through deep sand." (Letter of Washington).

"Brunswick landing and Raritan landing" both on the Raritan. "The army celebrated July 4th, on the Brunswick side of the Raritan."

"Scotch Plains" is in the town of Westfield, Union Co.

"Springfield" is in Union Co. about 10 miles west of Elizabeth.

"Second River" is north of Newark.

"Slotestown" is in the northern part of Passaic Co. near Aquackanonek.

"Paramus" is in Bergen Co., N. J., and is mentioned as "about 22 miles from King's Ferry." The army crossed the New York State line a little west of Passaic Creek.

"Kakiat" was the name of a very large land grant in Clarks-town and Ramapo. The place where the army camped is now New City in Rockland Co. The road from New City to King's Ferry was the present road through the long Clove to Havestraw, thence to West Havestraw where they struck the road to King's Ferry. This road runs directly in front of the house of Joshua Hett Smith (yet standing) which was the meeting place of Arnold and Andre.

"King's Ferry" is on the north side of Stony Point. Here they crossed to Ver Plancks Point. A letter of Washington is dated "Havestraw, July 17th."

"Wright' Mills" is now Kenisco, Westchester Co.

FORT NO. 1 TABLET

The unveiling of a tablet to commemorate Fort No. 1, erected during the American Revolution on Spuyten Duyvil, New York, occurred on Nov. 5th, under the auspices of the American Scenic and Historic Preservation Society at the home of Mr. William C. Muschenheim, whose house is built on the foundations of the old fort. The inscription on the tablet reads as follows: "The Foundation of this House is a Part of Fort Number One, which

was erected by the Continental Army in August, 1776; occupied by the British, November 7th, 1776; dismantled in 1779, and remained debated ground until the close of the American Revolution. One of a chain of eight forts, north and east of Spuyten Duyvil Creek and Harlem River, extending from this point to the site of New York University. Erected by William C. Muschenheim, "1910." The tablet was unveiled by the Misses Dorothy Radley, Hope Johnson, Helena Cox, and Jane McKelvey, and the general exercises were participated in by children from public schools Nos. 25 and 33, Borough of the Bronx, while the drum corps of the latter school rendered patriotic airs.

Mr. George F. Kunz, president of the American Scenic and Historic Preservation Society, presided at the exercises and addresses were made on the purpose and value of tablets commemorating historic events by Lieutenant Stephen Jenkins, U. S. N., Mr. Frank D. Wilsey, and various members of the Westchester County Historical Society. Spuyten Duyvil Hill has had an interesting connection with American history, it being from here, among other things, that the Indians attacked the Half Moon off Fort Washington Point on Oct. 2, 1609. During the Revolutionary War there were three forts on the hill, called Nos. 1, 2, and 3. Nos. 4, 5, 6, 7, and 8 were east of the Harlem River, and all of these were occupied at different times by American, British and Hessian troops. The marking of the site of Fort No. 1 is the beginning of a general plan to similarly commemorate the sites of all of these forts and the parts they played in the history of Manhattan Island.

OLD INDIAN BIBLE TO BE SOLD

Included in the valuable Everett library, sold at auction in Boston, on November 15, was a fine copy of the rare first edition of the famous Indian Bible of John Eliot. It is of this work that Cotton Mather, in his "Magnalia" or "Ecclesiastical History of New England," published in London in 1702, says:

"Behold, ye Americans, the greatest honor that ever you were partakers of—the Bible was printed here at our Cambridge, and

it is the only Bible that ever was printed in all America, from the foundation of the world. The whole translation he (Eliot) writ with but one pen; which pen, had it not been lost, would have certainly deserved a richer case than was bestowed upon that pen with which Holland writ his translation of Pluarch."

The work is a remarkable one, consisting of a translation of the whole Bible and the New Testament into the language of the Massachusetts Indians, accomplished by one man, known as the Apostle, John Eliot. It was a great task, taking many years to complete. It has been said that none but a religious enthusiast would ever have attempted the rendering of the Bible into a language which was never before written.

It was in 1660, when New England was still a wilderness, with a great Indian population, that the printing of this Bible was begun by Samuel Greene and Marmaduke Johnson of Cambridge. It was finished in September, 1663, thus occupying three years. The first edition consisted of 1,000 copies, of which, it is said, not more than about twenty-five copies are known to be preserved in the United States. Twenty copies were sent to England, in which there was a dedication to Charles II. The Indian title reads:

"Mamusse Wunneetupanatamwe up-Biblum God naneeswe Nukkone Testament Kah Wonk Wusku Testament," etc., or, in English, "The Holy Bible; containing the Old Testament and the New."

A second edition was called for and the whole work was reprinted at Cambridge by Samuel Greene in 1685. There was only one man, the Indian printer, who was able to compose the sheets and correct the proof.

